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# THE TIMES

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LAW  
TIMES  
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PETER TREVENOR

## MPs rally behind Ulster secretary

# Brooke stays on as Major rejects his resignation

By SHEILA GUNN AND EDWARD GORMAN

PETER Brooke is to carry on as Northern Ireland secretary after the prime minister last night refused to accept his resignation and dismissed the idea that he would be a "lame duck" minister.

John Major returned from a day in Northern Ireland adamant that he wanted Mr Brooke to continue easing his way towards bringing the political parties back to the negotiating table to discuss the political future of the province.

Mr Brooke had earlier won virtually unanimous backing from the Commons after stunning MPs by telling them at the end of his statement on Friday's IRA bombing at Cookstown, Co Tyrone, that he had offered his resignation to the prime minister.

After making clear his support for Mr Brooke, Mr Major said: "I believe Peter Brooke has been an outstanding secretary of state for Northern Ireland over the last few years, a very good friend of peace in

very good friend of peace in Northern Ireland, and recognised as such in Northern Ireland, and respected in Northern Ireland. He has more work to do yet."

Asked whether Mr Brooke was in danger of becoming a lame duck, Mr Major retorted: "No, I do not. I have spent a day in Northern Ireland. I know how fair and reasonable the people of Northern Ireland are. And I know the affection in which they hold Peter Brooke as well."

"I believe they will continue in that view. I want Peter to carry on. I want him to start again. And I want him to continue the work he has been doing."

Mr Major arrived in Belfast yesterday for a morale-boosting visit, to be greeted by Mr Brooke who told him of his decision after outrage among some Ulster Unionists at the Northern Ireland secretary's appearance on Irish television, RTE's *Late Late Show*, within hours of the bombing that killed seven workers in a minibus. On the programme Mr Brooke was persuaded to take part in a rendition of *Oh my darling Clementine*.

The impact of Mr Major's unequivocal backing for Mr Brooke was being weighed last night by the group of Democratic Unionist MPs who had demanded his resignation over the weekend. They remained adamant that Mr Brooke's "sing-song" had irreparably damaged his authority in the province. However Mr Brooke won unprecedented praise as an honourable man from Conservative, Labour and Liberal Democrat MPs.

During his visit to the province, on the day that six of the seven victims of Friday's bombing were buried, Mr Major also made it clear that the government was determined to counter the threat of the IRA. After condemning the latest bombing, Mr Major warned the terrorists: "Be absolutely certain that the people responsible for this outrage will be hunted and hunted and hunted for the rest of their days until we find them." He also offered more resources to the security services.

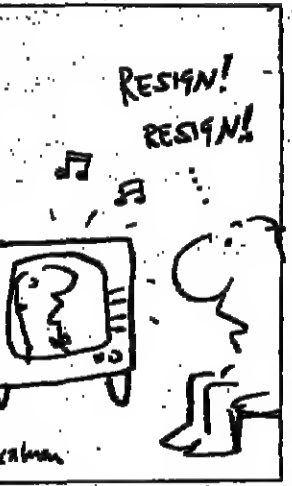
During his visit Mr Major, accompanied by Mr Brooke, was questioned about the television appearance. The prime minister suggested it was a trifling matter in comparison to the "splendid job" Mr Brooke had been doing in Northern Ireland and added that he looked forward to him continuing to carry it out in the future.

Mr Brooke returned to Westminster ahead of Mr Major to deliver his Commons statement. After expressing his horror at the IRA's bombing, Mr Brooke left the prepared text of his statement to explain to MPs his decision to go ahead with a long-standing invitation to take part in the Dublin television programme.

He said it was prompted by the opportunity it afforded to speak to Irish people about terrorism and the response of a democratic society. "Yielding to an unqualified invitation to sing on the show was innocent in intent for reasons which are personal to myself but it was patently an error."

Kevin McNamara, Labour spokesman on Northern Ireland, praised Mr Brooke's "characteristically honest and courageous statement", a description repeated by many other MPs, and went on to say he did not regard the television appearance to be a resignation matter.

Major's pledge, page 2  
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Book aid: pupils of Fox primary school in Kensington, London, carry volumes donated for children in Russia. Pupils' favourites, page 5

## £1.45m a week to wind up BCCI

Liquidation is a growth industry. Neil Bennett looks at how accountants spend £1.45 million a week winding up BCCI

Angry depositors of the collapsed Bank of Credit and Commerce International are waiting for the formation of an official creditors' committee to challenge Touche Ross, the bank's liquidators, over the high fees it is charging to wind it up.

The City is astonished by Touche's admission that it is charging £1.45 million a week for its work on BCCI, and that just under six months of liquidation has already cost £76.3 million. Liquidators have a priority claim over a company's assets second only to solicitors, so that every pound earned by Touche is a pound less for BCCI's depositors. Touche has already warned the High Court that all the bank's remaining assets may go in liquidation and legal costs unless the Abu Dhabi government agrees to a \$3 billion (£1.68 billion) compensation package.

Touche has vigorously defended its fees. Christopher Morris, one of the partners in charge of operations in Britain, says the costs have been unavoidable in what is one of the biggest and most complex liquidations ever. He is expected to explain the fees to a committee of BCCI's biggest creditors which is being set up in the wake of the High Court's decision last week to place the bank in formal liquidation. The committee's main task is to agree the liquidators' costs, and Touche is bracing itself for tough bargaining.

Many of BCCI's depositors have been unable to comprehend how Touche has spent so much money. But once they start to examine the accounts Continued on page 18, col 1

Tax trigger, page 5

## Berlin Wall guard jailed for shooting fugitive

FROM IAN MURRAY IN BONN

A FORMER conscript East German border guard, who obeyed without question unwritten orders to shoot and kill a man trying to escape over the Berlin Wall, was jailed for three and a half years for manslaughter yesterday.

A second conscript received a two-year suspended sentence for attempted manslaughter, while the case against two others was dismissed.

The sentence, although lenient, prompted an angry reaction among east Germans outraged that an ordinary conscript had been jailed while Erich Honecker, the East German leader who issued the "shoot to kill" instruction, remains unpunished, living at the Cuban embassy in Moscow.

"Under Honecker we would have gone to prison if we had failed to shoot escapees," said Wolfgang Kirchner, another former border guard from the Berlin suburb of Pankow. "Now the West (west Germans) are sending us to prison because we did."

The sentence surprised the state prosecutor, who had only asked for a maximum two-year suspended sentence

on the grounds that border guards were themselves "victims of the system". It also shocked the mother of the dead man, who said that given the background of life in East Germany, she did not believe anyone would be imprisoned for shooting her son.

The test case before the Berlin high court — the first of about a thousand under investigation — centred on the legality of an unconstitutional "shoot to kill" order issued by Herr Honecker. Evidence showed that guards were told it was "better to have a dead refugee than a successful escapee".

While the young conscript was sent to prison, east Germans believe the courts are slow to move against senior members of the old communist regime. Erich Mielke, the former head of the Stasi, is too ill to be brought to trial. Markus Wolf, the former chief Stasi spy, is living at liberty, fighting a long legal battle against prosecution.

The case involved the last fatal border shooting on February 6, 1989, when a patrol caught two young men trying to clamber over the wall to freedom. One, Chris Gueffroy, an East Berlin wait-

er, was shot in the heart and died, the other was arrested after being hit in the foot. The court decided jailed Ingo Heinrich, aged 26, the only guard who "without doubt" had fired to kill. Andreas Kühnast, aged 26, was given a suspended sentence because evidence showed he had aimed to miss.

The court ruled that although Heinrich was "only the last in a long chain of those who bear responsibility for what happened", he had no right "in the interests of helping the authorities hang on to power" to kill as he did.

The two convicted men, who never denied that they were responsible for the shooting, have already appealed against sentence, with their lawyers arguing it was an unsound judgment.

Leading article, page 13

## Island poll tax to soar

Poll tax bills in the Western Isles, which lost £24 million in the BCCI collapse, are to rise by three to eight times. The council has to find £2.7 million a year for 30 years to cover the loss. Page 5

## Hostels move

Hostels for the mentally ill in or near hospitals will be announced tomorrow in a government re-think on community care. Page 2

## McEnroe fear

John McEnroe has been warned of the dangers of using an intravenous drip to combat the effects of heat at the Australian Open. Pages 32, 36

## Tufnell strikes

Four wickets by Philip Tufnell put England in a strong position in the first Test match against New Zealand. Page 34

## £200m P&O liner to be built in Germany

By HARVEY ELLIOTT, TRAVEL CORRESPONDENT

AN ORDER worth £200 million for the first luxury liner to be built for the British cruise market has been won by a German company, after no British shipbuilder responded to an international tender.

Lord Sterling, chairman of P&O who placed the contract for the 67,000-ton liner which will become the company's flagship into the next century with Meyer Werft of Papenburg, Germany, admitted that he was disappointed that no British shipbuilder had tried to win the contract. "Nothing would have given us more pleasure than to have awarded the contract to a British yard but unfortunately none of them was prepared to quote," he said. "In the end it came down to a shortlist of

shipbuilders from around the world and, perhaps because Meyer Werft are 200 years old and are therefore out to show they can build the best ships around, we got a particularly good financial deal from them."

British shipbuilders were not particularly worried about the loss of the contract which will last until 1995 when the ship — capable of carrying 1,975 passengers — is delivered.

"It is a prestige job as far as the owner is concerned but not necessarily so for as the yard which has to build it," said Nick Granger, the president of the Shipbuilders' Association. "It is a very tough little market sector with not

Continued on page 18, col 5

## Christmas sales quash hopes of early recovery

By ANATOLE KALETSKY, ECONOMICS EDITOR

DISMAL official figures for sales before Christmas and a gloomy report on the financial services industry kept the cloud of recession hanging over the economy yesterday.

December retail sales were 1 per cent below November's and stood at 0.4 per cent below the level of the previous year, according to the Central Statistical Office. A sharp drop in confidence among financial services firms, with employment prospects in the sector down to their worst level since the recession

began, was reported in the quarterly CBI/Coopers & Lybrand survey of the sector.

The retail trade questioned the apparent decline in sales, citing statistical quirks.

Michael Saunders, UK economist at Salomon Brothers, noted that average sales in the last quarter of 1991 were 0.25 per cent down on the quarter before. He said the poor figures pointed to a further recession in the fourth quarter of last year.

Dwindling hopes, page 19

## For sale: a larger than life Maxwell House

By ALAN HAMILTON

TRICKED out in the expensively bland style of Decorators' Anonymous, with genuine English Regency cabinets hiding multi-megawatt hi-fi systems, a television in the sauna, and two of the largest baths you will ever see, the executive penthouse flat on the tenth floor of nos 8-10 New Fetter Lane could have belonged to any footloose international tycoon. Even down to the strategically placed copy of the fawning biography in every room.

"The contents of Robert Maxwell's private flat on the top floor of his London business headquarters are to be auctioned off on February 14 by Sotheby's, which expects to raise £400,000 for the lot, including carpets, curtains, decent

furniture and middling paintings. Yesterday, media vultures were admitted to a rare viewing of the inner sanctum of the empire's business headquarters which is dissolving as fast as the instant coffee with which it shares a name.

"I expect Mr Maxwell ordered up a flat which was good for entertaining, but also comfortable for himself," Leslie Weller, director of Sotheby's furniture division, said gesturing at the best single chattel in the house, a large Regency dining table estimated at £25,000. "The table is genuine; but you will notice that the accompanying chairs are modern, large and very comfortable."

There is not much of the outrageous personality in the penthouse, created on the top floor of Maxwell House in 1987, except perhaps in the sitting room, with

its squasy but slightly flamboyant settees, the monumental cast-iron side-tables, and the massively solid Empire day-bed, the sort of thing that Cleopatra might have lounged on had she been 20 stone. Still in place are the contents of the walk-in drinks cupboard, including an almost empty litre of Chivas Regal.

"The overall effect is very English," Mr Weller said, continuing his conducted tour. We came to the study with its lined oak bookshelves, very Twenties Surrey. "You will notice," said Mr Weller, gesturing to the magnificent view from the window, "that when anyone was ushered in to see Mr Maxwell sitting at his desk, the Post Office Tower would appear to be growing straight from the top of his head." Among the

Continued on page 18, col 4



Maxwell: contents of his flat go on offer

## WE DIDN'T SAVE THEM FROM POACHERS JUST TO HAVE THEM CARVED UP BY POLITICIANS



In 1992, 8,000 elephants will be shot by Zimbabwe, Botswana and South Africa for their skins and ivory.

The UK Government may support their plan to allow the sale of the skins on the international market. That means overturning the international ban on trade in elephant products.

Two years ago before the international ban was passed, 100,000 elephants were being killed every year. Poaching has declined dramatically since the ban.

The ban is now in serious danger of being weakened and thousands of elephants face extermination.

If you oppose killing elephants for their skins or their ivory, please join our campaign today.

If you think live elephants are priceless, help us to ensure that dead elephants are worthless.

☐ I would like to become a member of EIA and Tusk Force for £12 and/or I enclose a donation

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# Half-way hostels soften community care policy



Dorrell: keen to extend hostel scheme

By JILL SHERMAN  
POLITICAL CORRESPONDENT

"SATELLITE" hostels for the mentally ill in or near hospital grounds will be announced tomorrow as part of a government rethink on community care.

Ministers have become increasingly concerned about the effect of the policy of closing psychiatric hospitals and discharging people, many of whom have been institutionalised for nearly all their lives, straight into the community. Thousands of former patients end up on the streets without any medical or social back-up.

Stephen Dorrell, junior health

minister, will announce tomorrow that he is urging all health authorities to set up half-way hostels with high staffing ratios to ensure better support for a small minority who are severely disturbed.

Each hostel would house about ten people, be staffed by five community psychiatric nurses and psychiatrists would visit regularly. The residents would be encouraged to live as independently as possible, with their own rooms and communal kitchens and sitting rooms.

The homes would be located either in hospital grounds or within easy reach of a psychiatric hospital. Former patients would have

easy access to outpatient departments and could be admitted when necessary. A few thousand severely disturbed patients are expected to benefit and it is understood that some could live permanently in the homes.

Health authorities will be expected to fund the scheme from existing capital or through joint ventures with local councils. "Dowry" money, which now follows psychiatric patients leaving hospital, could also be used.

A handful of these half-way hostels have been set up in the past few years and Mr Dorrell is anxious to extend the scheme. More direct help is also expected to be provided

for the homeless who will not accept hostel accommodation in London. The health department has recently launched pilot studies in seven sites where teams of medical and social workers will find the homeless and offer help.

The teams are made up of a GP, social worker and health visitor who will carry out a preliminary diagnosis. If necessary the person would be taken to hospital or a GP's surgery for treatment. If the person needed regular medication the social worker would ensure that the case was constantly followed up.

Separate initiatives are also being taken by the environment

department. Michael Heseltine, the environment secretary, made it clear on Sunday that he is particularly concerned about "a hard core of people who won't accept any offers" (of accommodation). He and Sir George Young, the housing minister, have been looking at ways of tackling the problem. Ministers accept that as a last resort such people may have to be compulsorily admitted to psychiatric institutions by "sectioning" those who could be a danger to themselves or others.

In June 1990 the environment department launched a £96 million three-year scheme to help those sleeping rough in London.

To date, 886 places have been provided in private and leased accommodation. A further 864 places have been found in hostels. Also, 340 beds have been provided in nine emergency shelters open from December to March and £4.5 million has been given to voluntary agencies dealing with those sleeping rough.

The department is looking at ways of spending the rest of the £96 million, about half of which has already been committed. It hopes to provide about 2,500 places but is likely to spend some of it on further medical support for those hostels which house mentally ill people.

Prime minister meets scepticism in Belfast as an Irish solution looks as remote as ever

## IRA can be beaten, Major tells Ulster

By EDWARD GORMAN, IRELAND CORRESPONDENT

JOHN Major flew into Belfast yesterday amid extremely tight security and did his best to reassure an increasingly sceptical and war-weary community that the battle against terrorism could be won.

As he arrived, the police were dealing with six bomb hoaxes around the city and there was particular concern for his safety after a Dublin national newspaper ignored usual embargo arrangements on such visits and flagged it on its front page.

Officials with Mr Major said that publication in advance by the *Irish Press* had been discussed with security chiefs. It was decided that the visit should go ahead since they did not believe that the IRA would have had enough time to react.

Mr Major's second visit to the Province came as six families buried victims of the IRA van bombing at Cookstown in County Tyrone on Friday night and five of their colleagues continued fighting for their lives in different hospitals.

Mr Major described the bombing as a brutal and unnecessary slaughter of innocent people. "It is against that background that I will repeat again and again that they [the IRA] cannot bomb Belfast out of its way of life, they cannot bomb Northern Ireland out of its way of life and they cannot bomb Britain out of its policy," he said.

During a brief and chaotic

walkabout in the city centre when he was engulfed in a mêlée of plainclothes and uniformed police officers and camera crews, Mr Major was warmly welcomed by members of the public surprised to see him on the streets of their city.

Afterwards he said it was obvious to see that the spirit of the people had not been broken. This was not a defeated community he said. New businesses, new shops and new investment demonstrated that spirit of defiance.

However, it was put to him by a local reporter that many people in Northern Ireland believed that the IRA was winning and that 20 years of reassurance from visiting prime ministers that the violence would end, had made no difference.

"The IRA are not going to win," he replied. "Not now and not ever, and the people who committed crimes such as we saw a few days ago will be hunted and hunted until they are caught."

But Mr Major will have been left in no doubt that many in the Province are fed up with ineffective policies to tackle violence and are expecting a completely new approach. This was put to him in blunt terms during a half-hour meeting with Nigel Dodds, the Unionist Lord Mayor of the city at the beginning of the visit.

Afterwards Mr Dodds said that the effectiveness of the visit would depend not on Mr Major's words but on his

subsequent action. "I hope that the prime minister will have got some feeling as to the very great depths of frustration and anger that exist in the community as a result of the ongoing agony of 22 years," Mr Dodds said.

The prime minister visited the headquarters of the Industrial Development Board and Girdwood, barracks in the north of the city where he met security chiefs including Sir John Wilsey, the general officer commanding.

Meanwhile the army announced a major refurbishment of border checkpoints in Co Fermanagh as part of a review in the wake of IRA "human bombs" last year.

A new Anglo-Irish row was brewing last night after a convicted IRA terrorist who has already tried to break out of jail in the Republic was granted bail in Dublin while awaiting extradition proceedings.

Angelo Fusco, aged 35, from Belfast, is wanted in Northern Ireland to complete three life sentences and two 20-year sentences. He was convicted of the May 1980 murder of an SAS captain, Herbert Westmacott, two attempted murders and twice possessing an M60 machine gun with intent to endanger life.

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## Call for troops poses a dilemma

By MICHAEL EVANS  
DEFENCE CORRESPONDENT

THE demand for more troops for Northern Ireland will pose a dilemma for the government in the long term once the "options for change" cuts in the armed services begin to be introduced. The size of the trained army is to be reduced from 140,000 to 104,000.

There is no allowance for any reinforcement of Northern Ireland written into the new-style army for the 1990s, other than short-term emergency deployments. The bulk of the army will be committed to the new allied rapid-reaction corps, the multinational force for which Britain is to provide an armoured division based in Germany and a lighter armed division based in South-East England.

A sudden requirement for more troops to back up the security forces in Ulster during heightened IRA bombing campaigns will have to be met from the pool of soldiers available either in Germany or elsewhere in the United Kingdom. By the time the army manpower cuts have been implemented, however, the pool will be significantly reduced. The result will be that soldiers may be forced to serve in Ulster far more frequently than they do at present.

The planned rapid-reaction corps will begin to take shape by October. Soldiers serving in the corps will have to be triple-hatted: they will be available for the Nato corps, as well as the putative Western European Union rapid-reaction force (the same soldiers but with a different mission), and for Northern Ireland.

There are about 11,000 regular troops on duty in Ulster, including the extra 500 soldiers from the 1st Battalion of The Royal Highland Fusiliers, and about 6,000 full-time and part-time members of the Ulster Defence Regiment. Two part-time UDR battalions, based in Belfast, are on full-time duty because of the security demands. That is the largest number of troops in Ulster since the early 1980s.

The judgment in Belfast is that the extra 500 soldiers posted to the province on an emergency tour after the start of the latest outbreak of IRA bombings and killings are not enough. There are even suggestions that additional troops should be sent on a more permanent basis.

The government however is unlikely to agree to that, knowing that any long-term reinforcements could make the proposed smaller army unworkable.



Stop the killing: chained demonstrators blocking Sinn Féin's headquarters in Dublin yesterday in protest at last Friday's murder of workers

## Gentility marred by the need to please everyone

FEW MPs were surprised that Peter Brooke apologised unreservedly and offered his resignation over the *Clementine* affair, or that John Major refused his offer. The Northern Ireland secretary is the epitome of the old-style *noblesse oblige* politician, at an old-looking 57 almost an anachronism in today's Cabinet where his squirearchical suits and deliberate diction stand out among the pushy young Majorites.

Few doubt the pain he would have felt over the potential damage caused by his acknowledged gaffe, both to the government and to the prospects of persuading Ulster's politicians back together for meaningful talks. But making an idiot of himself on a TV show might have been enough to bring down a less genuinely popular politician. The support for Mr Brooke from all except the Ulster Unionists is evidence that honourable conduct throughout a career and friendships across the parties remain genuine political assets. The extravagant tributes

Peter Brooke's readiness to apologise for his gaffe surprised nobody, reports Robin Oakley

paid to him yesterday by the prime minister underline the common recognition that if Mr Brooke was not able to make a decisive breakthrough in the Ulster stalemate his extreme cordiality and apparently inexhaustible willingness to listen to others did at least give peace a chance. If other politicians had been ready to take it. He talks of testing each stepping stone before proceeding further across the stream and has practised what he preached. He insists: "The one thing which Northern Ireland political dialogue does not require is passion."

Few would accuse him of ever putting the theory to the test. But for a former headhunter turned politician, his touch has not always been sure. He came to Northern Ireland

after an undistinguished period as Conservative party chairman. He presided over the Tory debacle in the 1989 European Parliament elections and was accused of failing to stand up to the prime minister and her advertising men when it was clear they were confusing a Tory party used to taking the pro-European line.

Only three months after taking on Northern Ireland he was bitterly criticised for implying that military defeat of the IRA was impossible and that discussions with Sinn Féin were a possibility if they would abjure terrorism.

Few Ulster politicians expect him back after the next election. His chance of fulfilling his one-time ambition to follow his father as Home Secretary has long gone and there has been Westminster gossip that he might be interested either in becoming Speaker or in the governorship of Hong Kong. But the *Clementine* affair is likely to have ensured that his Cabinet career is now in its concluding months.

## Robber held up banks with banana

A man who held up a bank with a banana was jailed for six years yesterday.

Nigel Gunn Hayward, aged 27, hid the banana under his shirt and frightened cashiers at the bank in Bath, Avon, into handing over £25 in notes. He then raided a building society, where he used the same banana to steal almost £1,500. He was caught when police were called to a nightclub, where he was arrested after an argument with friends over distribution of the stolen money.

Bristol Crown Court was told yesterday that Hayward carried out the bank robbery on the day after being released from jail, where he had been imprisoned for another robbery with a banana. Hayward was sentenced to two years imprisonment in February of last year for stealing £4,400 from a bank in Downend, Bristol.

Judge Russell, QC, told Hayward, who admitted three counts of robbery and one of attempted robbery, that the public had to be made aware that the courts would not tolerate such offences.

## The Times of your life

The *Times*' coverage of arts and entertainment will be greatly enhanced from Monday with the first appearance of *Life and Times*, a new daily colour section.

*Life and Times* will include arts interviews and reviews, a women's page, regular interviews with leading writers, television and radio listings, and each day will take an in-depth look at a particular area such as health, media, education and law.

## Pay bargaining change planned

The end of detailed national pay bargaining for 1.5 million local authority workers was signalled yesterday when employers were urged to adopt the principle of "kinky bargaining".

Under proposals by the Local Government Management Board, which advises councils on wages and conditions, unions and employers would meet once a year to fix an increase in the total pay bill. After that it would be up to individual councils to award rises, offering councils similar pay flexibility to that of private firms.

## Controls urged for bailiffs

Private bailiffs should be more strictly controlled to prevent shameful abuses of their powers to seize goods from people in debt, the National Consumer Council says in a report.

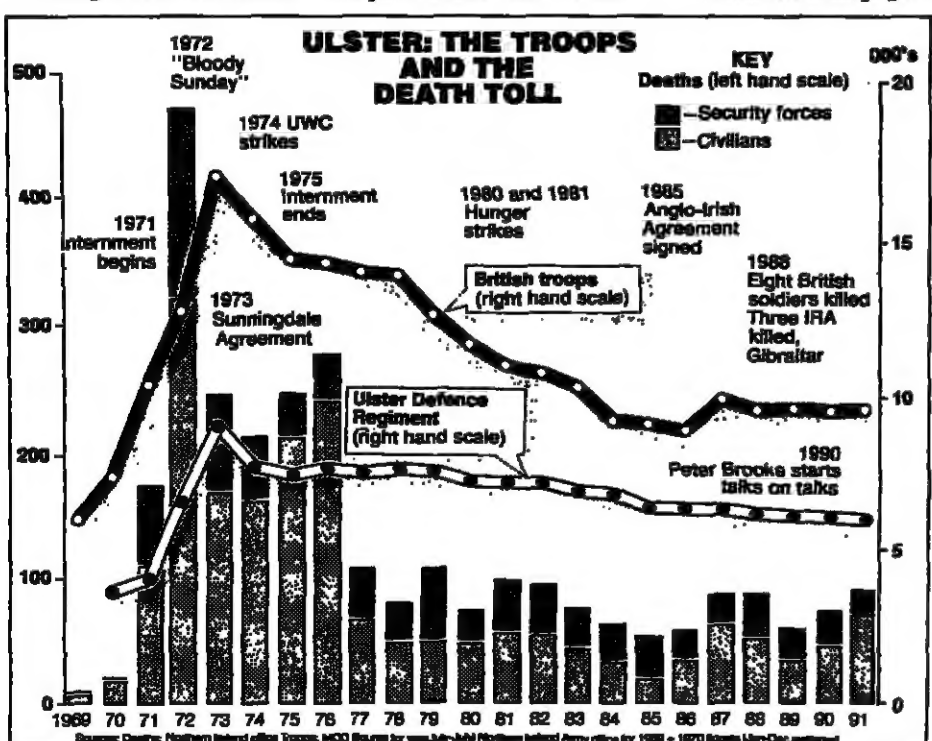
The council calls for rules to control the way private bailiffs operate, to stop unsuitable people doing the job and to stop private bailiffs seizing essential goods such as clothing, bedding, cookers and some furniture. The report says that some bailiffs were refusing reasonable offers to repay debts and threats "to kick the door down".

## Turkey flu alert

Around a thousand turkeys are to be slaughtered after an outbreak of fatal avian influenza was confirmed at a farm near Norwich, the agriculture ministry said yesterday. A six-mile restriction zone has been placed around the farm in an attempt to stop the disease from spreading. The ministry emphasised that the disease does not affect human health.

## Dearer petrol

BP and Shell yesterday followed Esso in increasing petrol prices. Unleaded, four-star and diesel went up 4.5p a gallon from midnight.



FOR 22 years the government has kept troop deployments to Northern Ireland under constant review. Heightened bombing campaigns or political initiatives from London have almost inevitably led to an increase. The largest deployments were in the 1970s, with

## Pact with Dublin offers prospect of creeping disengagement

SIX years on from the signing of the Anglo-Irish Agreement, a devolution settlement in Belfast continues to elude the government. A search for such a settlement could still be going on in ten or 20 years.

With the exception of the thriving London-Dublin axis, the political landscape of the Irish question is virtually lifeless. This suggests that policy development should concentrate on maximising political gains through Anglo-Irish co-operation. Extending the agreement or fully developing its existing provisions would suit Britain's inclination towards creeping disengagement. It would also increase the Irish government's role in the day to day management of the troubles.

Enhancements of the Anglo-Irish process will inflame Unionists. This happened in 1985 to a degree which surprised both governments but the protests have died down and Unionists are now beginning tacitly to accept the existence of the treaty.

Forging ahead with Anglo-Irish

co-operation in the direction of something like joint authority over Northern Ireland might finally jolt Unionist leaders from their complacency. It might be enough to convince them, or at least the more moderate younger men in their ranks, that they have no choice but to agree to powersharing arrangements in Belfast. This would be the only way for them to regain control over their affairs.

As the negotiations during the run up to the Hillsborough treaty made clear, a significantly enlarged and durable role for the Irish Republic in the affairs of Northern Ireland could be traded by an Irish prime minister for amendments to Articles 2 and 3 of the republic's constitution.

Those articles form the territorial claim to Northern Ireland and are viewed by Unionists as a threat to their security. Amending or even scrapping them might open the way to conciliation between Unionists and nationalists and send a powerful signal to republicans that

In the second of a series of articles examining British policy options for Northern Ireland, Edward Gorman looks at the case for expanding the Anglo-Irish relationship

a constitutionally united Ireland was no longer attainable.

Significant advances in the Anglo-Irish relationship are possible without recourse to a new treaty. Existing processes can be accelerated as envisaged, for example, by the Labour party in its proposals for the harmonisation of economic and social life north and south, as a precursor to unification by consent.

Indeed, the three-yearly review of the agreement published in 1990 underlines the scope for development. It gives considerable credibility to Unionist claims that the Hillsborough treaty is really an elaborate cover for unification by stealth.

The review commits the two governments to a "systematic programme of assessment of all the

main sectors to determine where the process of co-operation can be most fruitfully expanded". In a preliminary list of potential areas for development, the governments suggest further work on integrating transport systems, communications, tourism, industry, agriculture, energy and health.

Two other important specific areas in the agreement which have yet to be taken up are the provision of a bill of rights for Northern Ireland and the setting up of mixed courts with judges from both sides of the border sitting together throughout Ireland. This would require an all-Ireland law commission to harmonise the criminal law.

The real advance, however, and which would require a new

agreement, would be to expand the republic's consultative role in the affairs of Northern Ireland to one of co-decision making in day to day policy. In the run up to Hillsborough, Dublin suggested several variations on a theme of joint authority, which did not involve derogation of British sovereignty over Northern Ireland. These were proposed by the then Taoiseach, Garret Fitzgerald, and given surprisingly serious consideration by Margaret Thatcher.

One proposal described by Dr Fitzgerald in his recent autobiography envisaged a full-time cabinet member for each government forming a ministerial commission. They would have control over the nomination of a Northern Ireland executive and matters such as security, flags and emblems, broadcasting, and posts and telegraphs.

These proposals were accompanied by far reaching ideas on improving security and increasing the confidence of the minority community in the security forces. Dub-

lin suggested a joint command with the highest position alternating between the two countries. It also proposed creating unarmed police forces to operate separately in nationalist and Unionist areas, and a third armed force based on both to operate province-wide against terrorists.

The Anglo-Irish Agreement and the ministerial conference through which it operates, has proved a durable and useful instrument which both governments will not discard unless arrangements in Belfast and between Belfast and Dublin can be found to take its place.

The agreement has great developmental potential which Unionists can thwart only by acknowledging the reality of their situation. If they do not, it is likely that at some point the governments will take the agreement further and some of the ideas explored in the run-up to Hillsborough could become features of a successor.

Next: the case for withdrawal



## Near-blind driver killed woman on pedestrian crossing

BY DAVID YOUNG

A DRIVER who was virtually blind knocked down and killed a woman on a pedestrian crossing because he could not see her as she walked a few yards in front of his car.

George Glynn dragged the woman, aged 75, along the road for almost 20 feet, unaware that she was trapped beneath his Ford Fiesta. He stopped only when horrified bystanders shouted and banged on the windows.

When police arrived they found that he could not read a registration plate from seven feet. He was blind in one eye and had only 20 per cent vision in the other.

He told the officers: "I don't know where she came from. I just didn't see her. I've

got trouble with my eyes, you see." Police later discovered that some months earlier he had knocked down another woman pedestrian whom he had failed to see.

Glynn, aged 56, who is now registered blind, carried a white stick when he appeared at Isleworth crown court, west London, yesterday. He admitted causing death by reckless driving and was sentenced to four months' imprisonment, suspended for two years. He was also banned from driving for life.

Judge Bathurst Norman said: "You hit and killed this poor lady for one reason and one reason alone, and that is the fact that you are virtually blind. You should have recog-

nised that and given up driving. I believe you will continue to be a danger for the rest of your life if you are ever allowed on the roads again."

Glynn, a greengrocer, of South Harrow, northwest London, has chronic simple glaucoma, a disease of the eye. The court was told that his sight had deteriorated gradually over the past decade. Police surgeons who examined him after the accident discovered how little he could see.

The accident happened in June last year in Church Road near where the woman, Evelyn Skingley, lived in Northolt, west London. She died from her injuries a few hours later.

Giao Connor, for the prosecution, told the court that Glynn had stopped at the crossing, where the traffic light was on red. He set off again as the light was flashing amber before it turned to green.

"The woman was immediately in front of the car but the defendant continued to drive some twenty yards," Mr Connor said. "He knocked her to the ground, causing her death. It became obvious he was totally unaware of her presence."

"Five months before, he was involved in an accident where he had knocked down a woman pedestrian after he failed to see her." After that accident Glynn was convicted of driving without due care and attention and fined £150 by Uxbridge magistrates, but he was allowed to keep his driving licence.

The court was told that Glynn, married with children, had an HGV licence and used to drive ambulances. He had spectacles bought from a chemist's shop for £5, which he occasionally used for reading.

Anthony Rimmer, for the defence, said: "The defendant for some way into the 1980s was not aware he had a chronic eyesight problem. He has had hitherto a good driving record. He is now registered blind. He will never drive again."



£35,000 richer: Mr Connery leaving the High Court with his girl friend Suzy Riley yesterday

## Connery wins 'coward' libel fight

BY FRANCES GIBBS  
LEGAL CORRESPONDENT

JASON Connery, the actor and son of Sean Connery, was awarded £35,000 libel damages yesterday over an article in *The Sun*, which he said branded him a coward who would not fight for his country.

A High Court jury took 40 minutes to decide that the article, published on the actor's 28th birthday, January 11 last year, shortly before the Gulf war started, was libellous. *The Sun* also faces costs estimated unofficially at £100,000.

The case was another success for George Carman, QC, who was in the headlines last week as Kevin Maxwell's counsel. Mr Carman, for Mr Connery, told Mr Justice Drake and the

jury during a five-day hearing that the article, headed: "I couldn't fight in Gulf says 007 son", was a deliberate nasty and vicious attack on a thoroughly decent young man's character. It had caused him enormous distress.

The article said that Mr Connery, who had played heroes such as Robin Hood, was "scared to death" at the thought of being conscripted. It quoted him as saying that he would "sooner bury himself alive" than go to war for his country, that he was a "bit of a wimp on the quiet" and that he was not the "bravely brave gung ho type at all".

Mr Connery, of Fulham, west London, told the court that he had said nothing of the sort and that those were not his views. He would not

wish to have said anything to undermine the morale of troops in the Gulf or their families.

"I've lived in this country all my life... and I would fight for it if I were asked to," Mr Connery said. "If I had been asked to fight in the Gulf war, I would have fought." Mr Connery, whose mother is the actress Diane Cilento, Sean Connery's first wife, looked emotional and drained as the jury returned its verdict. Afterwards, he said: "I'm very, very pleased and relieved. I feel my name has been vindicated and that is why I came here."

Kelvin MacKenzie, *The Sun*'s editor, Andrew Coulson, a journalist, Lesley Ann Jones, a freelance journalist, and News Group Newspapers denied libel and said

that the story was true and an accurate record of what the actor had told Miss Jones in an interview.

Mr Connery said as he left court: "Now I can get on with my life again. It's something that has been in the back of my mind since the story appeared."

Tom Crone, legal officer for *The Sun*, said that the paper was disappointed with the result. The story had come from an experienced and apparently reliable journalist, he said.

Large libel awards in recent years include those to Jeffrey Archer, awarded £500,000 against the *Daily Star* in 1987; Koo Stark, £300,000 against *The People* in 1988; Lord Aldington £1.5 million against Count Nikolai Tolstoy and Nigel Watts in 1989.

## PC denies stealing book from dead actor

A CORONER'S officer yesterday denied stealing a book from the flat of Kenneth Williams, the *Carry On* film actor, while the dead actor's body still lay there.

Roy Bellamy, who was called to investigate Mr Williams' sudden death in April 1988 allegedly took a copy of *Back Drops*, an autobiographical book personally inscribed by the actor.

However, Mr Bellamy, a coroner's officer for St Pancras, north London, told Southwark crown court that although his hobby was collecting autographs of famous people, Mr Williams' autograph was not one that he would have valued. "A friend of mine told me he was a very rude man when he had asked him for his autograph, so I probably wouldn't have bothered," Mr Bellamy said.

After inspecting the body for marks of violence and studying the actor's diary, he picked up a copy of *Back Drops* and read the book before returning it to a pile of similar copies, he said.

"I had no knowledge that Mr Williams had ever written a book. I picked up the top copy and was trying to read the back of the book to find out what it was about." He said that he carried the book around for five minutes, flicking through it as he dealt with calls at the door and telephone calls from friends of the actor. He did not notice any handwritten inscription.

Pat Williams, the actor's sister, said that although Mr Bellamy returned her brother's diary, he never handed over a copy of *Back Drops*. A woman police constable has said she saw Mr Bellamy put the book in his briefcase.

Mr Bellamy, aged 42, of Chalk Farm, north London, denies stealing the book from the estate of Mr Williams and two charges of theft from the estate of Anne Domelow, aged 80, in August 1990.

Anthony Leonard, for the prosecution, said that Mr Bellamy stole more than £400 of Miss Domelow's savings from her bedsit soon after she died. He is also alleged to have taken stamps, some of which police later found in an album at his home, Mr Leonard said. Mr Bellamy denies stealing any money or taking the stamps.

The trial continues today.



Berlin: recollections of

bizarre attacks

## Oxford's 'hearties' divide the dons

BY JOHN O'LEARY  
HIGHER EDUCATION CORRESPONDENT

TWO of the grand old men of Oxford have fallen out over differing accounts of their undergraduate days, more than 60 years ago. One recalls a university plagued by bullying, while the other dismisses incidents as harmless pranks.

In a letter to the *Oxford Magazine*, one of the university's most famous names, Sir Isaiah Berlin, has brought the controversy to a head with his memories of bizarre attacks on aesthetes in the 1920s. "Hearties" in the university sports clubs tried to beat up a student suspected of homosexual leanings.

Sir Isaiah, a philosopher and fellow of All Souls College, started the controversy in a French collection of essays on Oxford in the inter-war years, claiming that such attacks drove their victims from the university.

Alfred Beston, a fellow octogenarian and emeritus professor of Arabic, insists that Sir Isaiah is exaggerating. In a review of the essays, he said the only victim he could recall was a "rather bumpy man" who made himself loudly and gratuitously offensive by putting on airs of arrogant superiority without any real claim to it.

Sir Isaiah said the student suspected of homosexual inclinations became a well-known historian.

Harry Hosken, a former editor of the *Sunday Times* and an Oxford contemporary of Sir Isaiah, said yesterday that the "hearties" were a small minority of oafs.

## Policeman 'tried to strangle uncle'

A POLICEMAN claims that he sleep-walked and woke from a nightmare to find himself strangling his uncle, a jury at the Central Criminal Court was told yesterday.

The claim was described by Nicholas Gardiner, for the prosecution, as a "complete sham" to cover up the policeman's botched attempt to murder his relative.

The uncle, Patrick Barrett, aged 58, a draftsman, was said to have woken up screaming with blood pouring from his mouth and a rope round his neck being pulled tight by his nephew. PC Robert Short, aged 34, with whom he shared a house at Woolwich, southeast London.

Mr Barrett had managed to get his fingers between the rope and his windpipe and had then struggled to save his life, Mr Gardiner said.

Mr Barrett had been doing in a chair in front of the kitchen fire and when the rope was wrapped round his neck he had fallen to the floor. In order to continue the at-

tack, PC Short had pulled him up by the rope, Mr Gardiner said. "He literally lifted him up twice and dumped him down," he said.

"Mr Barrett hung on and eventually Short began to lose his strength and gave up," Mr Gardiner said.

The court was told that Mr Barrett had not immediately reported his nephew to police, but had next day poured out his story to his doctor, who had said: "Do you mind if I telephone the police?"

PC Short had told detectives that he had gone to bed that night and had had a nightmare from which he was woken by his uncle's screams, Mr Gardiner said.

Mr Gardiner said that PC Short, whose relationship with Mr Barrett had become strained, had set up a story to explain his uncle's death three weeks before the attack. He had told his uncle's doctor that his uncle had suicidal tendencies.

PC Short denies attempted murder last March. The trial continues today.

## Tributes paid to the Voice of Cricket

Richard Streeton and Michael Horsnell were among 400 people at yesterday's memorial service for John Arlott

JOHN Arlott, the warm voice of cricket who died last month aged 77, placed himself inside the cricketer's head and heard the player's very heart beat.

That was the tribute paid to the great man yesterday by Tony Lewis, the former England captain and fellow commentator, in a memorial address when 400 devotees gathered to give thanks for his life at a service in his native Hampshire.

Sir Colin Cowdrey, Tom Graveney and Basil D'Oliveira were among the Titans of the game who packed the church of St John the Baptist in the market town of Alresford where he lived for 19 years.

John Arlott and his Hampshire burr had gathered a new profession of

radio commentary which others had followed, Mr Lewis said. Arlott, who was buried on his retirement island of Alderney on December 18 after delighting audiences for 35 years, would forgive the fuss made on his behalf by his many friends, he added.

His broadcasting philosophy was to describe the field of play as if he were talking to a blind man who once could see. Mr Lewis said: "By placing himself inside the cricketer's head he could hear the heart beat, understand the hopes and fears, the financial frailties of the average county professional, the worries and the hard-learned skills. He rightly observed: 'They call it a team game, but in fact it is the loneliest game of all. He



Arlott: listened to the players' heartbeat

looked for expressions of pleasure or pain. He would not have enjoyed so much the faceless game played inside helmets."

Arlott's poetic gifts had made him the perfect commentator because he could reduce events to a sentence and emotions to a word. Mr Lewis said that Arlott would be known as a loving father, husband and true friend of cricketers

and craftsmen the world over.

Even the hymn *God Whose Firm is all Creation* was from Arlott's pen. He was asked by the BBC in 1969 to put fresh words to traditional English melodies for their new hymnal.

The sermon was given by the Right Rev Michael Manktelow, Bishop of Bathurst. Poems, one of them to the immortal Sir Jack Hobbs, by Arlott were read by his son Tim.

Arlott, who leaves a widow Patricia and two sons felt the greatest honour bestowed upon him was the invitation to become inaugural president of the Cricketers' Association in 1967.

Arlott, a Liberal who twice stood unsuccessfully for parliament, fierce opposed apartheid. He helped bring Basil D'Oliveira to England after the Cape Coloured cricketer wrote to him for help.

Lewis address, page 14

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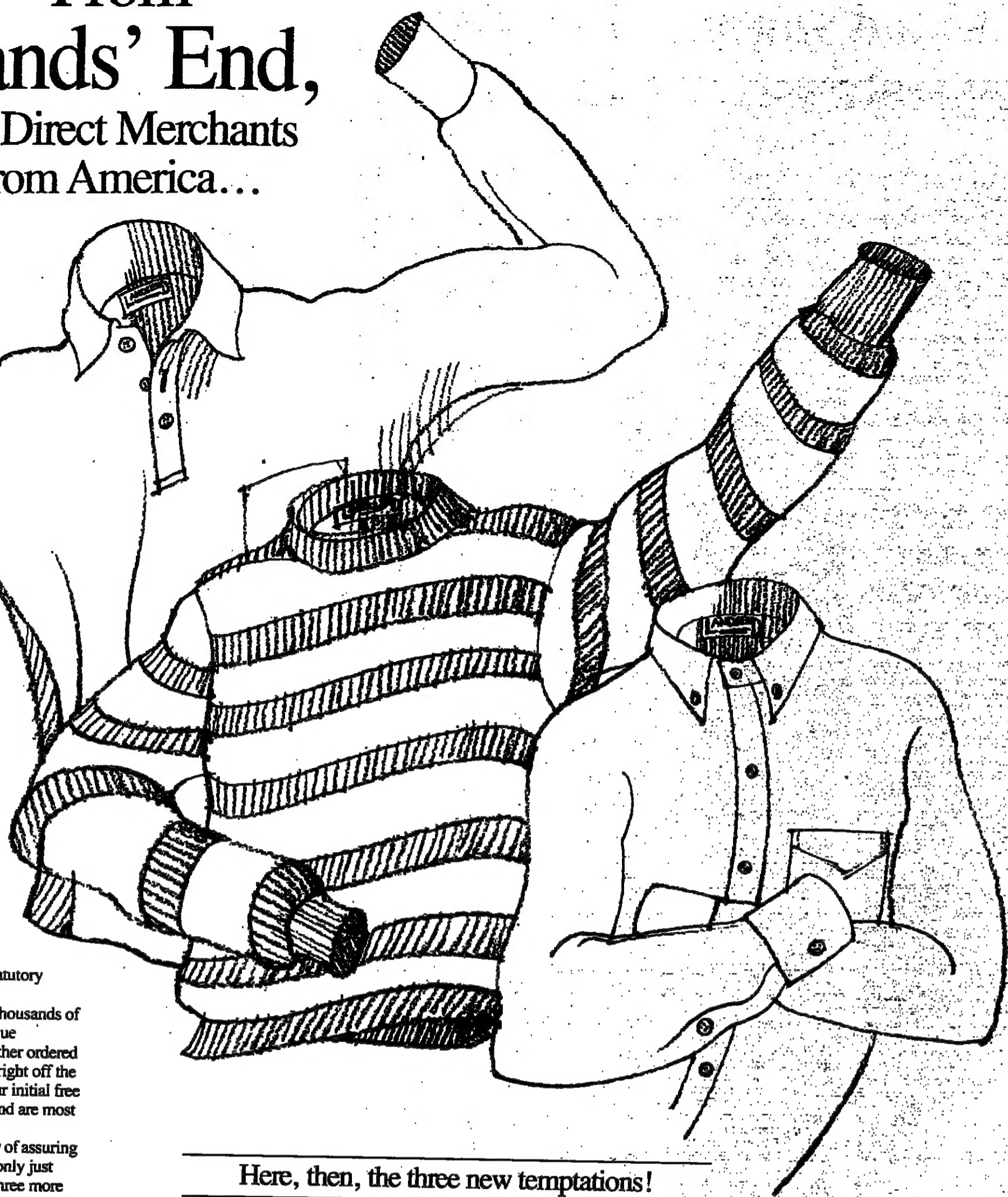
You may recall that, when we entered the British marketplace rather gingerly some three months ago, we offered you four basic Lands' End quality products you could buy right off the pages of your favorite newspapers. They were: our authentic Hyde Park Oxford, our year-round Turtleneck, our well-traveled Attache Case, and a lightweight Squall Jacket.

All four were inordinate values, born of our obsessive insistence on first things first—to wit, Quality before Price; then, once Quality has been arrived at, the Price must represent Value in the customer's mind before we declare the product a Lands' End value and GUARANTEE it unconditionally. (Incidentally, our guarantee is provided in

addition to your statutory rights.)

As it turns out, thousands of you ratified our value assessment, and either ordered one or more items right off the page, or sent for our initial free catalog. We were and are most grateful.

So, now—by way of assuring you that “we have only just begun!”—here are three more exceptional values, described in some detail, along with the opportunity to order any or all of them immediately, via a free call to 0800 220 106. Or if you prefer a more leisurely transaction time, there's a coupon to use in requesting a catalog. The choice, of course, is yours. The pleasure is all ours in either case.



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Such construction demands and receives our respect in the careful way we assemble the shirt—taping the neck seam so it won't chafe, reinforcing shoulder seams and banding the Short Sleeve version, not shown here. (Our £23.50 Long Sleeve interlochen boasts rib-knit cuffs.) In or out, generous tennis tails make their suave statement.

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Again, it's smoothly-knitted of 100% combed—not simply carded—American cotton to enhance its embracing comfort and assure durability. Unlike most tee-shirts, however, it is not tubular-knitted, so it does not “spiral” its way around your torso. Its side-seams remind it to keep its place. They are neatly trimmed, of course, and the neck and shoulder seams are taped as well. The pocket is reinforced so it can actually hold something!

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## BCCI failure triggers poll tax rise of up to 800%

By KERRY GILL

POLL tax bills in the Western Isles, which lost £24 million invested in the collapsed Bank of Credit and Commerce International, are to spiral by between three and eight times the present level, it emerged yesterday.

The council, which last month sacked its chief executive and its finance director because of the losses, now faces the prospect of finding £2.7 million a year for the next 30 years with which to service the loan taken out to cover the loss.

The money will have to be found by widespread cutting of services or by an unprecedented rise in the poll tax in an area that has a high level

of non-payment. A delegation of senior officials and councillors hopes to meet John Major tomorrow to ask for urgent financial assistance.

Whatever formula the council chooses when it meets next week to fix its budget, not one of the Outer Hebrides's 32,000 population will escape the effects. Tom Carter, acting finance director, said he would recommend cuts to the tune of £2.7 million. Even so, he said, the poll tax would have to be tripled from its present £26 a year to £77 to pay for increased police and fire service costs.

Many councillors will argue, however, that the cuts will be an intolerable burden on the islanders whose average income is the lowest in the United Kingdom. Unemployment is 18 per cent. Mr Carter's package will mean cuts in education, social work, roads, administration, transport and environment budgets, and job losses. Service cuts would hit islanders doubly hard because of the poor infrastructure, low incomes, the number of old people and children, and the expense of providing services to some of the most remote communities in Europe.

If councillors refuse to contemplate cuts then the whole burden of repaying the £24 million loan will be heaped on poll tax payers, taking annual bills to well over £200.

Donald Stewart, the former Scottish Nationalist MP for the Western Isles, said: "It is like being fined £90 million for an offence you did not commit, and being given 30 years to pay the fine."

BCCI anger, page 1

## Police seek help from bystanders

By STEWART TENDLER  
CRIME CORRESPONDENT

THE public should be more willing to help police who are attacked, the Association of Chief Police Officers said yesterday as it released figures showing that nearly 750 officers were attacked over Christmas and the New Year.

During the ten days from December 23 to January 1, 744 officers were assaulted, of which 220 needed medical treatment and 42 were detained in hospital. The number of assaults averaged 74 a day, compared with 51 a day throughout 1990.

The association, which represents chief constables, said: "We don't want to put anyone at risk but all too often many officers report that when they are struggling with an offender in the street, members of the public just stand there and look on when some modest gesture of physical support might be all that is needed."

Brian Johnson, president of the association and chief constable of Lancashire, commissioned the survey because of concern over the scale of attacks. It covered the 43 forces in England and Wales and the British transport police, the total manpower of which is more than 125,000.

The Metropolitan police, the largest force, reported the highest number of assaults, 141 with 16 detained in hospital and 70 more needing hospital treatment. Greater Manchester reported 38 assaults, Merseyside 35, West Midlands 34, and Kent 33.

The survey was the first of its kind so there were no comparative figures, the association said. However, it would be used in discussions with the Home Office.

Alan Eastwood, chairman of the Police Federation, which represents the junior ranks, said yesterday: "I am very concerned at these appalling figures... It is clearly wrong that police officers are exposed to vicious assaults with little or no protection."

The federation is calling for the replacement of the British truncheon with the longer American-style baton, which it says would be more effective at keeping attackers at bay.



Fixing their smiles: Peter Myers and Camilla Allen, chosen to work for Euro Disney from a host of highly-qualified job applicants

## Graduates settle for a Mickey Mouse job

By BILL FROST

ONCE they would have wished upon an academic or commercial star, but yesterday more than 1,000 wind-chilled graduates who lined up outside a central London hotel were hoping for a job at Euro Disney, the £2.2 billion theme park due to open outside Paris in April.

The 400-yard queue had more BAs and MAs than Mickey Mouse could have shaken a stick at. Their teeth chattered as they pondered what might have been.

Haldip Mather, aged 24, from Sutton, Surrey, worked

on his fixed smile, an absolute must for any potential Disney employee who "interacts with the public". With first-class honours in French and German and a postgraduate qualification in international business studies, he had been selected for the crucial second interview. Euro Disney might now be his oyster, with a job as chef, barman, technician, plumber or smirking greeter.

Mr Mather said that his application had been a last resort. "If we were not in the teeth of a recession, I would not be here," he said. "I have friends out there in the queue

who are also postgraduates. We are that desperate."

Tara Montgomery, aged 22 and jobless since graduating in French last summer at London University, said: "I want any job that gets me out of this country and this recession. I want to go where people are happy again, myself included. Waiting in this icy wind is just part of the endurance test."

Not every applicant boasted a degree, but all seemed determined to escape the recession. Three teenage boys from Essex worked on rictus grins and conversational French. "I don't want to

dress up as Donald Duck, but apart from that I will do anything, literally anything," Nigel Martin, aged 17, from Thurrock, said.

As hopefuls shivered, two successful applicants posed for photographs. Camilla Allen, aged 18, of Ascot, Berkshire, said: "My poor parents, they don't know yet. This will be such a surprise."

In the Euro Disney suite, those awaiting interview sat grim-faced as a video of *Lady and the Tramp* was shown. "They are very relaxed, despite appearances," the Euro Disney girl said.

Peter Myers, aged 39 and

a teacher, experimented with a pirate's hook. He had been chosen as a host for the Caribbean buccaneer area. "I can keep smiling no matter how annoying the tourists become," he said.

The smile wilted as Mr Myers was rebuked by a Euro Disney minder for dragging on a cigarette on camera. "We do not like our cast members to wear beards, moustaches or smoke in front of the public," the minder said. Rather irritably, Mr Myers countered: "But I haven't even started yet." However, he put the cigarette out immediately.

## Council dismisses man who devised 'pindown'

By CRAIG SETON

THE senior social worker responsible for the "pindown" disciplinary regime used in Staffordshire children's homes is to be dismissed, it was decided yesterday.

At a private meeting, Staffordshire county council's child care enquiry committee decided to terminate Tony Latham's contract from April 13 on the ground that his continued employment would damage the authority's reputation.

The pindown regime, in which children at four homes were kept in isolation dressed only in night clothes or underwear, was condemned by the *Levy* report as a violation of human rights. The report also named Mr Latham as being responsible for it and being its prime practitioner. Many children subjected to pindown are claiming compensation that could total up to £2 million.

Mr Latham, who has been on paid leave for two years, was too ill to attend yesterday's hearing and was represented by a solicitor. The committee issued a statement afterwards saying that it considered the *Levy* report's findings to be so destructive of his professional reputation that it



Latham: reputation destroyed by report

was impossible to have confidence in him.

It added that Mr Latham's continued employment would damage the reputation of the council in the eyes of clients of the social services department, the public, and the social work profession. The committee said that he might be eligible to certain superannuation benefits, but no extra benefit or payment would be made.

Mr Latham, aged 48, was one of 12 social services officials who took leave while the committee considered their futures. Last year it dismissed John Spurr and Peter Crockett, who were deputy directors of social services, and one other. One official has been re-instated and seven are still to be dealt with. Barry O'Neill, the former director of social services, took early retirement on health grounds before the *Levy* report was published.

The committee waited to deal with Mr Latham until the district auditor had reported on a group of companies that he had set up, collectively known as Fundwell, which sold services to the county council. The auditor's findings, published before Christmas, criticised the authority for lax control over the firms.

Michael Poulter, chairman of Staffordshire social services committee, who has survived calls for his resignation over pindown, said yesterday that he thought that Mr Latham had been humanely treated.

Kevin Williams, a Stoke-on-Trent solicitor who represents many of the pindown children, said yesterday that the number seeking compensation had risen to well over 100. He added: "The claims are going to be very, very substantial."

## MPs plead for fleeing children

By RICHARD FORD  
HOME CORRESPONDENT

MINISTERS will be urged today to help hundreds of children who arrive unaccompanied at Britain's air and sea ports seeking asylum.

A cross-party group of MPs want an amendment to the Asylum Bill, which has its report stage in the Commons today, to provide independent advisers who can help the children with complex immigration procedures, assist at hearings and arrange for reliable interpreters.

□ The Home Office gave a warning to the United Kingdom Immigrants Advisory Service yesterday that unless it reformed itself soon, its £1.7 million funding would be in jeopardy.

Peter Lloyd, the immigration minister, saw the 13-member executive which has been given by infighting between Muslims and Hindus.

He said he was unhappy at the lack of progress in adopting a new constitution which would widen membership to other ethnic groups, admit Home Office observers and stop executive members meddling in its day-to-day affairs.

Letters, page 13

## Pupils' favourites are heading east

By MATTHEW D'ANCONA

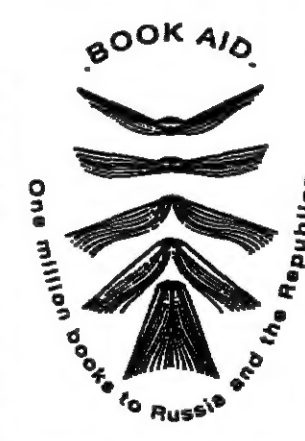
CHILDREN from a west London primary school took time off from lessons yesterday morning to deliver their donations to the Book Aid appeal. Book Aid, a charity set up in September, will send their donations to libraries throughout the 15 republics of the former Soviet Union.

A group of nine-year-olds from the Fox Primary school, Kensington, visited Waterstone's book shop in High Street, Kensington, to hand over four boxes of books, ranging from *Alfred's Adventures in Wonderland* to *Teenage Mutant Hero Turtles*.

Lisa Knott, who gave a story-book inscribed with the message "To a Russian friend, from Lisa", said that she thought the appeal was a good idea. "I hope the books reach lots of Russian children, so they can learn English. With all the trouble they've had, they need lots of equipment and books."

Stephen Daniel-Murphy gave a copy of *Rosie Dahl's* *Charlie and the Great Glass Elevator*. "I've already read it," he said. "I think Russian children will like it. It's complicated, but I enjoyed it."

□ National Book Aid Week runs until Sunday, January 26. Books may be handed in at Heffers, 20 Trinity St, Cambridge; Blackwell, 50 Broad St, Oxford; H.J. Lears, Royal Arcade, Cardiff; Hamrick's, Farnham (both branches); and the following branches of Waterstone's: London: Charing Cross Rd, Croydon, Covent Garden, Hampton, Kingston upon Thames, Notting Hill Gate, Richmond, Wimbledon;



Aberdeen: Bath (4/5 Milson St); Birmingham: Bournemouth; Brighton; Bristol (The Galleries, Broadmead); Canterbury: Cheltenham; Edinburgh (Princes St and George St); Eastbourne; Exeter; Glasgow (Princes St); Guildford (North St); Lancaster; Leeds (93/97 Albion St); Liverpool (52 Bold St); Maidstone; Manchester (Deansgate and St Ann's Sq); Newcastle; Norwich (St Stephens St); Nottingham; Perth; Preston; Sheffield; Shrewsbury; Stratford upon Avon; Swindon; Winchester; Worcester; York. Larger book donations: Book Aid warehouse (071-713 7258). Please do not send books to The Times. Cheques payable to Book Aid may be sent c/o Waterstone's Ltd, 37 Ewouth Place, London SW3 3QT. Donors and volunteers will be entered into a draw: first prize, return flight to St Petersburg or Moscow, donated by Barry Martin Travel, second prize cash of five runners-up £20 book vouchers each, donated by Waterstone's; winners will be contacted by February 14.

## Surgeon's widow awarded £1.26m

The widow of a leading surgeon killed in a car crash near his home was awarded £1,260,000 damages in the High Court yesterday. Marie-Louise Boobyer, aged 51, will receive a lump sum of £140,000 and a guaranteed tax-free income for a minimum of 20 years and longer if she is still alive.

It was the first time that a structured settlement had been awarded for a fatal accident, the court was told. John Cherry, QC, for Mrs Boobyer, said that the award would have been doubled, but George Boobyer, aged 44, of Westerham, Kent, had been found to be 50 per cent to blame for the crash at an earlier hearing.

Mr Boobyer, a consultant orthopaedic surgeon, died from injuries received in a head-on collision in November 1984. The damages are to be paid by the other driver, Anthony Johnson, aged 26, of Croydon, Surrey, also found to be 50 per cent to blame for the crash. Mrs Boobyer has two daughters, aged 21 and 19.

## Man accused of station murder

A die-maker appeared before Reading magistrates yesterday charged with murdering Richard Lyddon, aged 36, a male nurse, at Reading railway station, Berkshire.

Thomas Stewart, aged 41, of Reading, was remanded in custody for seven days, but will not appear again in court until February 17. There was no application for bail.

## PC banned

A policeman was fined £250 and banned from driving for 18 months for refusing to give a breath test two hours after he was seen driving home from work. A superior had told him not to drive home because he was "unsteady on his feet and smelling strongly of intoxicating liquor", magistrates at Worthing, West Sussex, were told. PC Ross Gowing, aged 44, of Worthing, pleaded guilty.

## Tooth will out

A man was jailed for six years for aggravated burglary at a hotel for the disabled in Stoke Newington, north London. Gary Moss, aged 26, of Stoke Newington, was positively identified by the hotel's warden who recognised his gold front tooth.

## Taxi hijacked

A taxi passenger forced his woman driver to drive with a gun held to her head before robbing her of £40, dumping her at the roadside at Wokingham, Surrey, and driving off in her cab. The car was found abandoned at Caterham, close to where the man had been picked up.

## War-time bomb

An unexploded second world war bomb dredged from Southampton docks was detonated underwater by the bomb squad. The device had been noticed by dockworkers.

## Paintings found

Police have recovered three Elizabethan oil paintings stolen from the 12th century St Donat's church near Llantwit Major, South Glamorgan, from a house in Penylan, Cardiff. A man has been charged with burglary.

## Takings taken

A raider mugged the doorman at a bird auction and fled with £1,200 takings while fanciers were bidding at Headley village hall, near Basingstoke, Hampshire.

## Mating call

Volunteers are being sought to help toads to cross a busy road to reach their breeding ponds at Havant, Hampshire, during their four-week mating period next month.

## Lloyd Webber elevated to master of pomp

ANDREW Lloyd Webber's admirers, intrigued by the furor over the composer-producer's inclusion in the Queen's 40th anniversary pageant in October at the alleged expense of the Master of the Queen's Music, may get a preview of the event in Seville in May. Even more intriguingly, there might be a foretaste of the next Lloyd Webber musical.

The possible invitation to Mr Lloyd Webber to take part in the pageant (he says he has not yet been invited) and the possible snub to Malcolm Williamson, Master for 17 years, has stirred a meltem in the recap of Michael Parker, who is producing both the Earls Court pageant in October, at which the Queen will be present, and British day at the Expo international trade fair in Seville on May 21.

Details of both events remain shrouded, but Major Parker, who created the festivities for the Prince and Princess of Wales's wedding in 1981 and the Queen Mother's 90th birthday 18

The creator of West End musicals appears to have a new role as composer laureate, reports Simon Tait

months ago, as well as producing the Royal Tourment, has said that the highlight of British day is to be a "Lloyd Webber-based" royal gala. The identity of the presiding royal guest is also still a secret.

The extravaganza is to take place in the 5,500-seat La Cartuja auditorium being built for Expo with one of the largest stages in the world: a production there could be slotted into Earls Court. Both productions could include glimpses of the next Lloyd Webber musical, *Sunset Boulevard*, of which there will at least be elements at Seville, according to Major Parker.

Mr Lloyd Webber was



Lloyd Webber: taste of new musical expected

closeted in a studio yesterday and unavailable, but some music for *Sunset Boulevard* is already written and he is working on the production with Christopher Hampton, the playwright, and Don Black, who wrote the lyrics for *Aspects of Love*. The musical, based on the 1950 Billy Wilder film, is being produced by Mr Lloyd Webber's Really Useful Group, with a possible West End opening next year.

Major Parker yesterday



Williamson: may still be included in pageant

dismissed the apparent passing over of Mr Williamson in favour of Mr Lloyd Webber as "media-manufactured". Nothing, he said, had been decided. "Every one seems to be behaving as if either we've forgotten Mr Williamson or we're not going to use him, and that's not the case," he said. "We're still writing the show."

Music Major Parker said, was only an incidental part of the pageant, linking

events of the past 40 years. However, he said, it would be extraordinary if Mr Lloyd Webber, whose musicals *Cats* and *Phantom of the Opera* dominate the West End, were left out. "I don't take a genius to work out what music most typifies the last 40 years."

He could not say whether Mr Williamson's music might be included after all. Mr Williamson's compositions include seven symphonies, three operas, concertos for piano, violin, organ and harp, an epitaph for Edith Sitwell, a lament in memory of Lord Mountbatten and a sung Mass to celebrate the Queen's silver jubilee in 1977.

Major Parker said last night: "With regard to the 40th anniversary celebrations, I haven't spoken to Mr Lloyd Webber. Mr Williamson or any other composer. Details of the royal gala at Seville are not being announced until next month."

Leading article, page 13

## Safety of vessels on rivers and inland waterways

John Hayes, Secretary General of the Law Society, is conducting an independent investigation into the handling by the Department of Transport since 1980 of its responsibility for the safety of vessels on rivers and inland waterways.

Any person, group or organisation wishing to participate in the investigation should send their contribution by 10 February 1992, in writing, to:

Leslie Peacock, Secretary to the Enquiry, Room 1/27, Sunley House, High Holborn, London WC1V 6LP.



Game is up for Major, Labour claims as campaign chiefs wheel out the pollsters

## Tories rule out 'fix' on the poll tax

By Philip Webster  
Chief Political Correspondent

MICHAEL Heseltine yesterday ruled out any poll tax "fix" to delay until after the general election the sending out of bills for the last year of its operation.

As Labour gave warning of a poll tax "time-bomb" ticking under the government, it emerged that the environment secretary had accepted defeat in his battle with the Treasury to abolish the 20 per cent minimum contribution that the least well-off have to make towards the poll tax. Such a change could have delayed bills until after an April 9 or May 7 general election.

Bryan Gould, the shadow environment secretary, predicted poll tax bills averaging £300, rather than the government's estimate of £257, and pointed out that they would be going out in the final weeks of a campaign for an April 9 election or just as a May 7 election was announced.

Mr Gould said that because of the Tory insistence that the poll tax had been abolished, many voters believed they had already paid their last poll tax bill. "They will be in for a rude shock when the bill envelope from the town hall lands on their mat in late March."

Labour's estimate of the likely average for the poll tax is based on the growing costs of non-payment, late payment and collection. Mr Gould points out that the failure to abolish the 20 per cent minimum was unjust and wasteful because it cost £15 to collect every £6 from those paying the minimum.

Mr Heseltine, responding in a BBC *World at One* interview, said he relished the poll tax becoming an issue in the general election. "We will be able

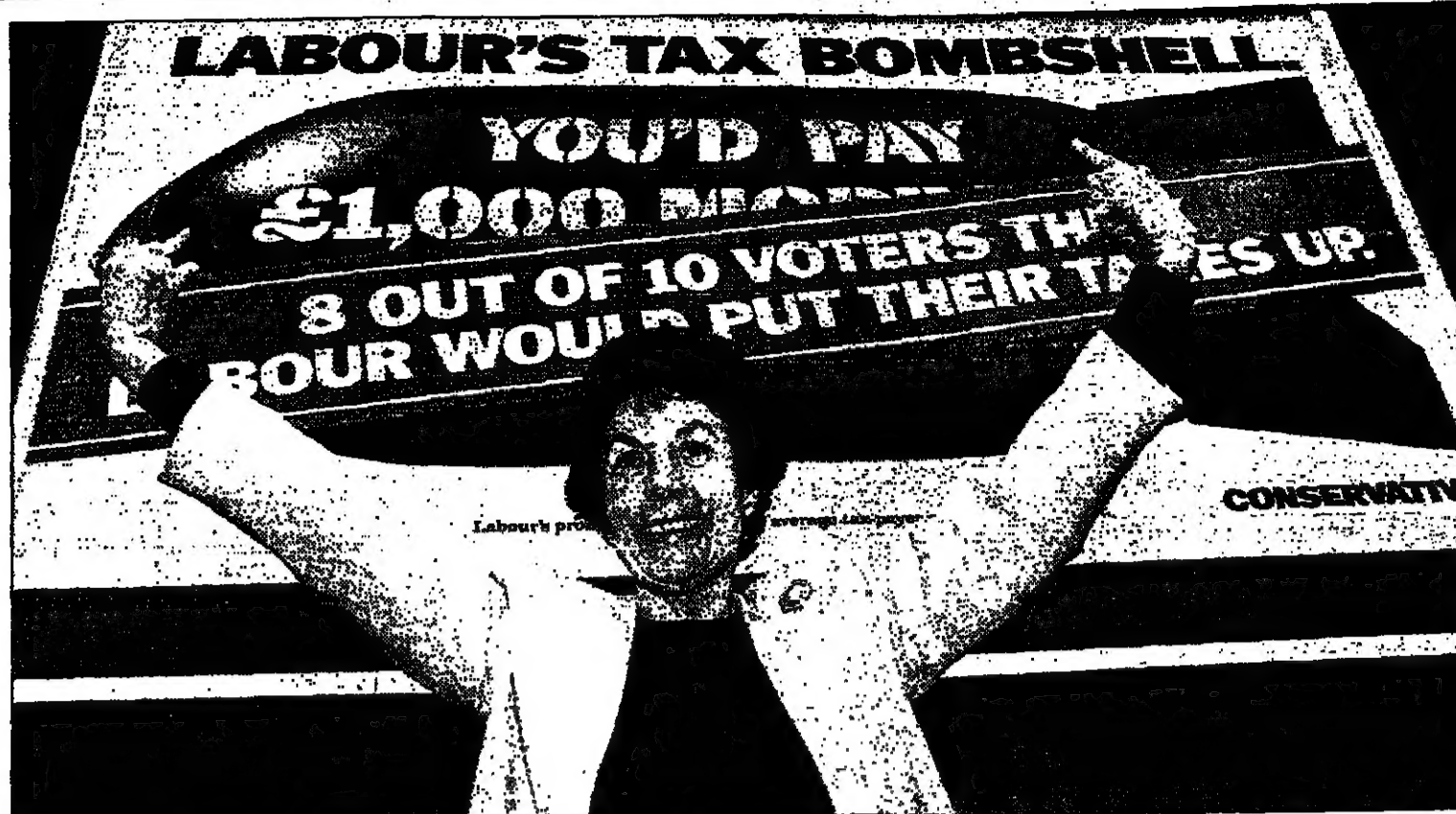
to show that those higher levels are Labour authorities and that the failure to collect, often even to try effectively to collect, is a result of wilful Labour mismanagement."

Speculation that Mr Heseltine had succeeded in getting the 20 per cent contribution killed off was discounted by authoritative sources. Sources close to Mr Heseltine said that the Treasury had won the day on the grounds of cost (£400 million) and the belief that it would be wrong to abolish a tax because many people were evading it.

Labour tried to seize the initiative at the start of another week of heavy pre-election campaigning by publishing the results of a private poll, commissioned by Labour from NOP, displaying voters' attitudes on key areas after 13 years of Conservative government.

According to John Cunningham, the campaigns chief, the poll showed that after 13 years 67 per cent of people thought the education system was worse, 69 per cent the national health service was worse, 72 per cent thought crime was worse, and 76 per cent thought unemployment was worse. About 43 per cent thought their own financial position had worsened. Some 38 per cent thought Britain's standing abroad had improved while 33 per cent thought it had worsened.

Mr Cunningham said the game was up for the Conservatives. John Major, he said, had accepted that there would be no "feel good" factor for the Conservatives at the election and that they would go into the election without any firm signs of economic recovery.



Headlines: Gillian Shephard, the Tory deputy chairman, highlights the party's contested tax claims

## Surveys score in pre-election skirmishes

By Nicholas Wood, Political Correspondent

MORE than eight out of ten people believe taxes would be higher under a Labour government, the Conservatives said yesterday as the two main parties wheeled out the pollsters to corroborate their conflicting claims in the battle for advantage in the run-up to the election.

The Tories cited a new Gallup survey commissioned by Central Office as evidence that their assault

on Labour's tax "bombshell" has struck home. Its finding that 85 per cent of people thought taxes would rise under Neil Kinnock showed that the January counter-offensive aimed at branding the Opposition the party of high taxation had been a spectacular success, Gillian Shephard, a Treasury minister and Tory deputy chairman, said.

The Tories were accused

of misrepresentation in a press release and poster describing the findings of the survey. Central Office had claimed that eight out of ten voters thought Labour would put "their" taxes up. Gallup made plain yesterday that the question it had posed was whether Labour would put up taxes, not whether they thought their taxes would go up.

The findings of the Gallup

survey are broadly in line with other polls conducted in the past week. A separate Gallup poll for *The Daily Telegraph* found that 57 per cent of the public (52 per cent of the skilled working class) believed they personally would pay more tax under Labour. An NOP survey for *The Independent/BBC Newsnight* found that 59 per cent of people thought their take-home pay would be hit. The Central Office survey showed that 85 per cent of people thought Labour would raise taxes "a little" or "a lot".

Unlike the other polls giving a lower figure, it did not ask people if they personally faced a bigger tax bill. Superficially, the finding was no surprise, given that Labour has said it plans higher taxes for people earning well over £30,000 a year and for people above the current £20,280 national insurance ceiling. But the real aim of the Tory campaign was to saddle Labour with the burden of being a high-tax party.

Perhaps more worrying for Labour is the earlier finding that, in spite of its insistence that only 12 per cent of earners face higher taxes, about 60 per cent of people think they personally will have to pay more. The Opposition can take comfort from NOP's parallel finding that 81 per cent of people want higher spending in the Budget and only 15 per cent want a penny off basic rate income tax.

Mrs Shephard said that Labour's little remaining credibility on the economy had been blown out of the water. "Two weeks under the spotlight and Labour's mask of prudent economic management has simply melted away."

Jack Cunningham, Labour's campaigns chief, said the statistics were based on "a Tory lie" about Labour policies. "The credibility of the Conservatives' pre-election campaign is being steadily undermined by the absurdity of their increasingly hysterical attacks on Labour," he said.

## Councils predict higher bills

By Douglas Broom  
Local Government Correspondent

LABOUR'S claim that community charge bills this year will be closer to £300 than the £257 predicted by ministers is likely to be fulfilled, council treasurers said yesterday.

The government's "headline" figure assumes not only that councils will spend in line with their spending targets but that they will collect 100 per cent of their poll tax income. While tougher capping rules will probably ensure that spending stays close to government limits, ministers can do little to control the rate at which the poll tax is collected.

The shortfall, which in some parts of London is almost half of the total amount due, is made up by adding a surcharge to the poll tax which appears on bills under the heading "other adjustments."

In Lambeth the current figure for "other adjustments" is £158, which more than wipes out the £140 a head reduction in poll tax bills made possible last April by the decision to add 2.5 per cent to VAT.

Nationally, councils expect to collect no more than 95 per cent of the total due this year, compared to 99.9 per cent under the rates. With 35.5 million charge payers it has proved physically impossible to collect all of the poll tax due each year.

## Sunday trading attacked

By Robert Morgan

THE government has received about 2,000 letters critical of the Attorney-General's decision not to prosecute shops which opened on Sundays over Christmas and the new year.

Sir Patrick Mayhew came under renewed pressure in the Commons yesterday to take action. He rejected an allegation of collusion between the government and big stores that contributed to Tory party funds. Sir Patrick said the public interest would not be served by starting a large number of proceedings. "Whether local authorities take the same view in their own jurisdiction is a matter entirely for them," he said.

He told the House at question time that the government had received about 2,000 letters criticising his decision, announced last November, to take no action against shops. He accepted that the present situation, with the B & Q case now before the House of Lords dependent on a ruling from the European Court in Luxembourg, was unsatisfactory and the government had asked the European Court to expedite its proceedings.

## European fighter deal creates jobs

By Michael Evans, Defence Correspondent

FIVE hundred jobs are to be created following the announcement yesterday of a new contract for the four-nation European Fighter Aircraft programme. The latest deal, worth £200 million, confirmed the government's commitment to the project, Alan Clark, minister for defence procurement, said.

The contract to develop an electronic warfare system for the fighter aircraft was awarded to an international consortium led by Marconi Defence Systems.

The contract involves only three of the partners, Britain, Italy and Spain. Germany has yet to decide whether to develop its own system or buy the Marconi version. British defence sources insisted yesterday that the non-involvement of Germany in this particular contract was not a sign of any reduction in German commitment.

Germany military commanders have publicly stated their commitment to European Fighter Aircraft. However, the continued involvement of Germany in the programme remains a sensitive political issue in Bonn.

The plane, which is due for its first flight this summer, will be taking on the roles currently filled by the RAF's Jaguar and Phantom aircraft. EFA will also complement and eventually replace the air defence Tornado F3 aircraft.

Mr Clark said: "The government remains strongly committed to the EFA development programme and to the provision of high quality equipment for the armed forces."

Each EFA will cost about £20 million. The RAF has a requirement for 250 and Britain's share of the total cost is likely to be about £7 billion.

For the Opposition, Allan Rogers welcomed the announcement, but asked if Germany was likely to pull out of the aircraft project.

Mr Clark said he recognised "periodic doubts" were expressed about the overall German commitment. "But at present there is absolutely nothing to indicate in German policy or service requirements that they are going to get out of this aircraft."

## AROUND THE LOBBY

### Rewards for green business

Companies will be able to demonstrate their green credentials by winning a new Queen's award for environmental achievement, the prime minister announced yesterday (Nicholas Wood writes).

John Major said the Queen had given her approval for the new award, which will run alongside the existing ones for exports and technology. "It is planned that applications will be sought in June and that the first environmental awards will be made on the Queen's birthday on April 21, 1993," Mr Major said in a written reply.

Mr Major said the government wanted to create the conditions to encourage firms to improve their environmental performance and to recognise and reward those that rose to the challenge.

### Counting costs

A cut of 1p in the standard rate of income tax would cost the Exchequer £1.95 billion; an increase in the ceiling on mortgage interest tax relief of £5,000 would cost about £300 million; and an increase in all personal allowances by £1,000 would cost about £7 billion, Francis Maude, Treasury financial secretary, said in a written reply.

### Welsh promise

Record inward investment to Wales was announced by David Hunt, the Welsh secretary, at question time when he came under attack for rising unemployment. He said that 183 projects had been pledged to the principality last year, promising more than 17,000 jobs. Barry Jones, the shadow Welsh secretary, said unemployment had increased by more than 38,000 since the recession began.

### Betting up

The latest figures show that 63 per cent of all year seat car passengers are using seat belts and that 76 per cent of passengers in newer cars are using them, Christopher Chope, the roads and traffic minister, said in a written reply. The figures for children are 79 per cent and 88 per cent respectively.

### Cover price

The cost to taxpayers to date for litigation over *Spycatcher*, by the former secret service officer Peter Wright, excluding court proceedings and official time, is £2,221,503, Sir Nicholas Lyell, the Solicitor-General, told the Commons at question time.

### More from less

Although the number of people employed in the steel industry in Wales has fallen from 42,000 in 1979 to 18,000 now, they are producing 10 per cent more steel, David Hunt, the Welsh secretary, said at question time.

### Homes enquiry

The result of an enquiry into the running of children's homes in Wales will be published in the next few days, Nicholas Bennett, junior minister at the Welsh office, told MPs at question time.

### Parliament today

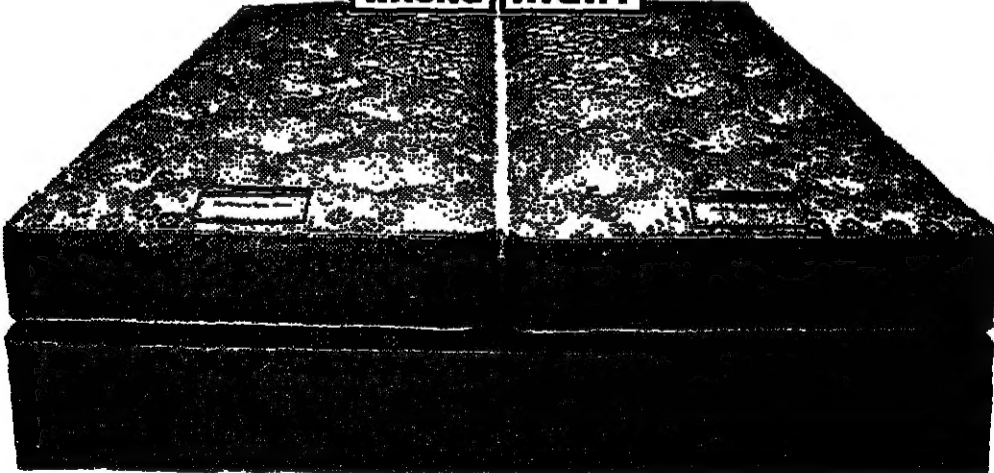
Commons (2.30): Questions: Health; prime minister; Asylum Bill; remaining stages; Lords (2.30): Local Government Finance Bill, committee, first day.

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ORTHOPAEDIC & MEDIBEDS

## Genial adviser looks for role in Lords

By Philip Webster, Chief Political Correspondent

JOHN Wakeham, a close adviser to both the present and former prime ministers, is likely to continue his cabinet career if the Conservatives win the general election.

Mr Wakeham, who is leaving the Commons at the election, is strongly tipped to become leader of the House of Lords, and to remain in his role as one of the inner group of ministers who meet daily to co-ordinate the activities of the government and Conservative party. Despite several attractive business offers, Mr Wakeham is understood to have told the prime minister that he is willing to continue serving him if required.

No decision will be made until after the election, but Whitehall insiders say that

Mr Major, who values Mr Wakeham highly, wants to keep him in the cabinet. He would replace Lord Waddington, the former home secretary, as Lords leader.

Mr Wakeham would be welcomed by Conservative peers, who would regard him in the same light as Lord Whitelaw, the most successful Lords leader of recent years. The men are good friends and were once in harness as Mrs Thatcher's two closest confidants. Lord Whitelaw continues to wield influence in the Lords and would be certain to smooth Mr Wakeham's way into the upper chamber. His genial manner is likely to go down well with peers. The Lords has not always been seen as natural territory for Lord

Waddington's more combative style.

As a former chief whip Mr Wakeham, who was badly injured in the Brighton bombing, will be better versed in the ways of the Lords than others who have held the post. He would be going to a House containing many of his former cabinet colleagues including, by then, Mrs Thatcher. His skills in diplomacy would help him if the election is close-run, with votes in the Lords taking on a greater significance than at present.

Mr Wakeham is one of the so-called "Number 12" group, the ministers who meet daily at 12 Downing Street, the official office of the chief whip, Richard Ryder.



Wakeham: willing to serve if required



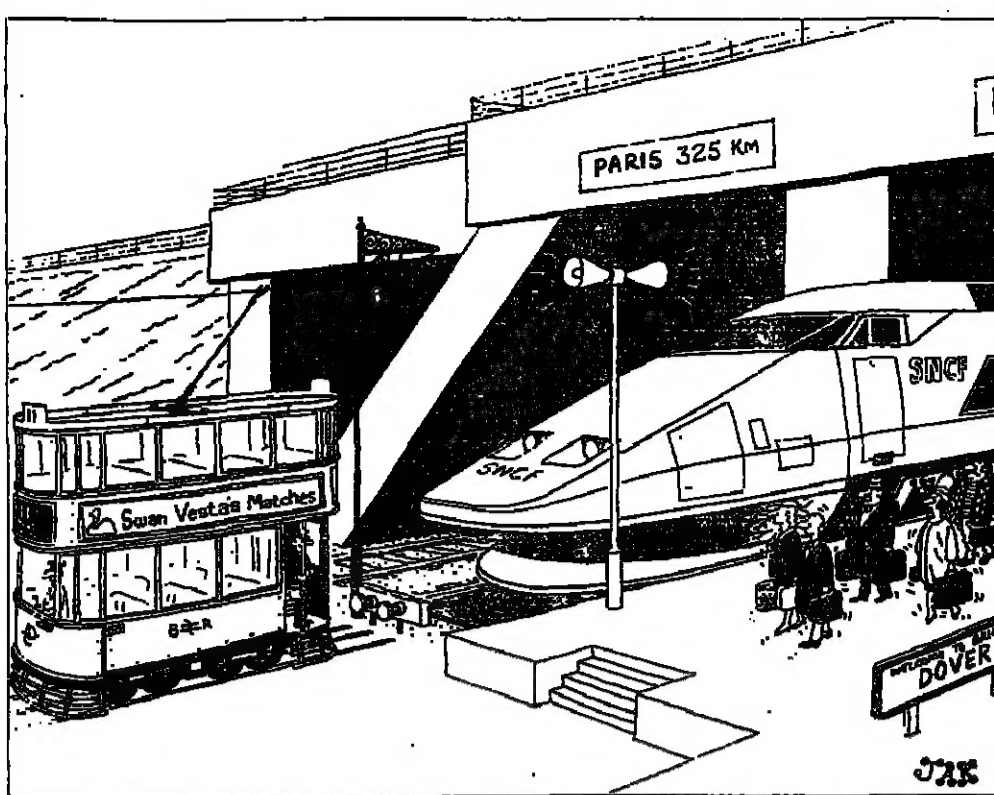
## Digging out the tunnel laughs

By MICHAEL DYNES  
TRANSPORT CORRESPONDENT

TWO centuries of newspaper cartoons inspired by the problems of creating a fixed link between Britain and France will be deprived of their raison d'être next year when the Channel tunnel opens for business.

Celebrating the end of countless setbacks since Margaret Thatcher and Francois Mitterrand gave the project the go-ahead in 1986, Eurotunnel yesterday published a collection of English and French Channel tunnel cartoons highlighting the different national attitudes towards the project.

From the day that Napoleon approved the first plans to build the tunnel in 1802, newspaper cartoonists have ridiculed every attempt to bring together what nature separated after the last Ice Age. Successive proposals, three abortive attempts and innumerable arguments have provided them with a wealth of material for



"Will passengers from the French high-speed train arriving from Paris transfer to the number 11 tram for King's Cross?" *Jak, Evening Standard*

satirising the dreams of visionaries, eccentrics, engineers, railway magnates and bankers transfixed by the prospect of profits and glory.

While the French have always regarded the tunnel simply as a useful piece of transport infrastructure, the British have consistently ex-

hibited great anxiety over the end of an island status symbolised by the newspaper headline: "Fog across the Channel: Continent cut off".

The genre of tunnel cartoons attained its apogee during the transition between the 1980s and the

1990s, just as the civil engineers began to demonstrate that the tunnel was no longer a pipe dream. By focusing on construction delays, spiralling costs and the prospects of the British and French tunnelling teams missing each other, Eurotunnel officials believe that

the cartoonists were helping the British national psyche to adjust to the inevitable.

According to Sir Alastair Morton, Eurotunnel's chief executive: "It is the British way of absorbing some of life's less digestible new arrivals — to insult them, then to mock them, and then, like



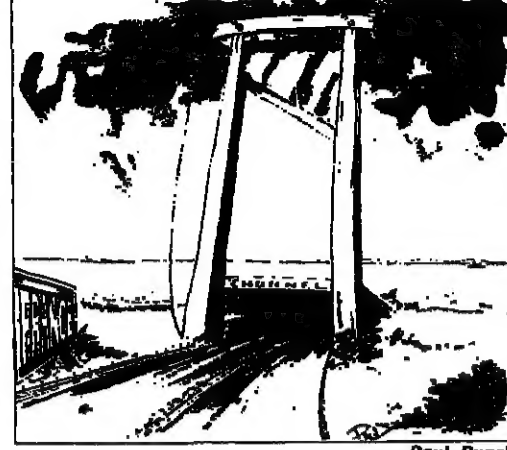
"Don't be silly Jacques, there won't be any sheep through for ages" *Johnston, Evening Standard*



*Ged, The Times*



*Mart, Spectator*



*Paul, Punch*

## Baker backs anti-fraud bank card

London: A new photo cheque card aimed at reducing fraud won the backing of Kenneth Baker, the home secretary, yesterday. The Royal Bank of Scotland's Highland debit and cash card identifies the holder with a laser photograph and signature.

Mr Baker said that the introduction of identification cards was not imminent, but did not rule out the use of the technique on driving licences.

## Tourist island

Samoa: A Utah Mormon church group has won a lease on the Western Samoan home and tomb of Robert Louis Stevenson, author of *Treasure Island*, and plans to attract tourists there. (AFP)

## Space mixture

Cape Canaveral: The space shuttle *Discovery* is to be launched tomorrow with seven astronauts and roundworms, fruit flies, yeast, bacteria, slime mold, frog eggs and sperm, lentil roots, and human blood cells. (AP)

## Big top training

Kendal: A nine week course in circus skills — including bicycling, acrobatics and still-walking — is being held at Cumbria College.

## Opportunities for recycling going to waste

By ALISON ROBERTS

WHEN it comes to recycling household waste, we Britons are armchair greens, according to a new Mintel report. Although 94 per cent of people say that recycling is important for the environment, 64 per cent put all their rubbish in the dustbin.

These figures put us very near the bottom of the European recycling league, with only the Irish republic and Greece below us.

Although there are about

5,000 bottle banks, 1,800 paper banks and 900 aluminium collection points in car parks and town centres in England, 35 per cent of the 1,000 adults questioned by the research company did not know where their nearest recycling facilities were. For many people, loading the car and making the eco-friendly trip was "too much trouble".

Surprisingly, 20-34 year olds are the most environmentally unsound. Bill Patterson, a Mintel analyst, said: "The most active recyclers are aged 15-19 or 35-54. It appears that the younger people are getting the recycling message first and then influencing their parents."

Those in the higher socio-economic groups are known to be the most active greens, and this is borne out by the report. Although there is no difference between the sexes on theoretical support of recycling, women are more likely to practise what they preach.

The UK produces 21 million tonnes of household waste a year, or 52 large plastic sacks of rubbish per person. Most of this is buried, but according to a Friends of the Earth survey, most local authorities will run out of landfill space within 11 years.

The government's target of recycling 25 per cent of household waste by 2000 looks over-optimistic. We currently recycle just 4 per cent of refuse, and it is estimated that we could reuse 42 per cent.

Under the 1990 Environmental Protection Act, all local authorities must produce a recycling plan by August. Few have finalised such plans and few can afford to.

Most popular with consumers is a system whereby separate dustbins are provided for different kinds of waste. Government research found that this kind of kerbside collection would cost £200 million to introduce.

## Prudery retreats in India

FROM CHRISTOPHER THOMAS  
IN DELHI

FACED with a rapidly rising population and an AIDS epidemic, India is being startled by official tolerance of condom advertisements showing unclothed men and women in embrace. Kama Sutra brand has stolen the lead by facing its advertisements with advice from that explicit volume, especially on the question of "acting as a man".

Many are offended. Some MPs have complained that India has jumped from prudery to prudery too fast and that condom companies should be checked. Their protest, however, is being drowned out by warnings from the World Health Organisation that India is heading for an AIDS crisis.

"For the sheer pleasure of making love — ask for KS by name," the advertisements say. "If you prefer green grass over satin sheets, or the dinner table as the ultimate love seat, Kama Sutra condoms play along with your actions accordingly."

## PEOPLE

## Taylor takes a break

Elizabeth Taylor abandoned hundreds of guests when she rushed out of a gala just as she was to receive a humanitarian award from Anwar Sadat's widow, Jehan. Miss Taylor's 15-minute absence from the Aids-benefit event at the Beverley Hilton, led to speculation that the actress had been taken ill. She returned to make a brief acceptance speech, saying: "I had to go to the bathroom."



Paul McCartney became the first winner of the Royal Swedish Academy of Music Polar Music Prize, worth about £110,000. He will give it all to the Liverpool Institute

for the Performing Art and the Rye Memorial Hospital.

New Zealand's Prime Minister Jim Bolger, suffering record lows in popularity polls and facing a by-election next month, has appointed rugby star David Kirk, aged 30, who led the 1987 World Cup triumph, as his executive assistant.

Tom Selleck said fans shouldn't count on him portraying Rhett Butler in the mini series based on the sequel to *Gone With the Wind*. "I wouldn't commit without seeing a script, because the part is loaded with pitfalls."

Ian Botham flies to New Zealand to join the England tour after helping smash another record — this time on the panto stage. Botham's appearance in Jack and the Beanstalk with Max Boyce at Bournemouth's Pavilion attracted 50,000 customers and record receipts.

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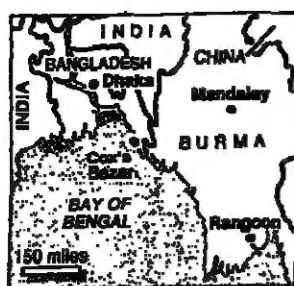
# Burma uses fleeing Muslims as shield in border build-up

BY ARMED FAZL IN UKHIA, BANGLADESH, AND OUR FOREIGN STAFF

AS SIGNS of a big border offensive into Bangladesh grew stronger yesterday, Dhaka intelligence sources said 15,000 Muslims had been conscripted into the Burmese army for use as human shields.

Britain plans to withdraw its defence attaché from Burma in protest against the military government. Last month, the European Community said in a statement "that in view of the political climate in Burma, there is no justification for maintaining the accreditation of defence attachés to the Burmese authorities in Rangoon".

Mustafizur Rahman, Bangladesh's foreign minister, last week described the Burmese troop mobilisation as an



internal security measure. However if needed, Bangladesh would fight to the last drop of blood, he added. Another senior government official said: "They have now deployed a full artillery regiment facing Bangladesh. This is an ominous sign because artillery is not a weapon to fight guerrillas."

Many in Dhaka say Burma's drive against alleged insurgents is simply a pretext for a wider border offensive.

In the past few days, Rangoon has stepped up its border forces and continued its persecution of Muslims in western Arakan state, the only Muslim-majority state in the predominantly Buddhist country. Burma accuses the Muslims, known as Rohingyas, of getting support in their fight for an independent homeland from Burmese refugees in Bangladesh.

Burma has built a strategic road linking Maungdaw to Bolibazar, along the Naaf river that divides the two countries, apparently in preparation for an offensive, an intelligence official said. The road was built using captured Muslims as forced labour. The Muslims, thousands of whom have fled the country, have also been made to construct three new airstrips near the frontier, according to the official.

In addition to the flight of Muslims, tensions between Bangladesh and Burma have been exacerbated by an attack by Burmese soldiers on a Bangladeshi military camp in December, killing one soldier and wounding three. Dhaka ordered a military alert in response. Burma conceded that the attack was a mistake and that its troops had been chasing Muslim insurgents.

Bangladesh has started building camps for the refugees and giving them food and medicine. Yesterday, the tiny Bangladeshi hamlet of Ukhia awoke to the sounds of Burmese artillery to receive a fresh batch of 346 Muslim refugees. Close to the border with Burma and nine miles from the resort town of Cox's Bazar, Ukhia has become a popular entry point. "We are building a new refugee camp in Ukhia this week," said a spokesman for the district commissioner.

With more than 63,000 Burmese Muslim refugees already in Bangladesh and another 10,000 reportedly gathered on the western bank of the Naaf waiting to cross, impoverished Bangladesh fears a serious drain on its already depleted resources. The overcrowded camps are rife with disease and local officials fear epidemics.

Dil Muhammad, a refugee-appointed interpreter and supervisor of a camp of 4,000 Muslims, said more than a hundred had died in his area and many others were in a critical condition. Tales of Burmese atrocities abound, with families swapping their experiences. One reported that a young woman was dragged out from her marriage ceremony to be raped by Burmese soldiers before being returned bleeding to her family. Others say 700 youths died in captivity in Burma last week alone.

## Confident Shamir opens campaign with peace pledge

FROM RICHARD BEESTON ON THE WEST BANK AND CHRIS WALKER IN CAIRO

ISRAELI prime minister Yitzhak Shamir, yesterday launched his re-election campaign at the rain-soaked Jewish settlement of Betar Iltit in the occupied West Bank, where he promised peace and security to cheering Jewish settlers and rounded on his opponents to left and right.

Looking confident ahead of what is likely to be an exhausting campaign stretching to the summer, the Israeli leader told this community of 3,000 Orthodox Jews that only he could deliver peace with their Arab neighbours and secure their future on the disputed occupied territories of the West Bank and Gaza Strip. "We see the new building of Betar, the building in all of Judea and Samaria (the biblical names for the West Bank), and the Gaza Strip, and no power on earth will prevent it," declared Mr Shamir, aged 76. "For the first time there is a feeling of progress with the Arabs on the long road to peace."

Israel has been committed to autonomy (for the Palestinians) since the Camp David accords; it is the Arabs who have not yet accepted it. "The message is likely to be hammered home over the coming months as Mr Shamir and his Likud party ministers reaffirm their commitment to peace talks and granting limited self-rule to the 1.8 million Palestinians of the occupied territories, while refusing to relinquish sovereignty over lands they claim as their biblical birthright."

Apart from his pledges to end Israel's 43 years of conflict with its Arab adversaries, the Israeli leader also attacked the main opposition

in Egypt, whose moderate government has already agreed to go to Moscow, the semi-official press quoted an Arab diplomat as warning: "The Syrian and Lebanese positions cast serious doubts on whether the multilateral talks will be convened without them, because they are key players in the peace process."

Many Arab commentators saw the early elections in Israel as a tactic to stall peace negotiations which were already in serious trouble. But some suggested that a poll could help overcome obstacles if it returned an Israeli government with a strong mandate to negotiate.

Beirut Israel has annexed Rafah, a Lebanese village, to its "security zone" in south Lebanon in the first such attempt since 1985 to enlarge the buffer strip around its northern border.



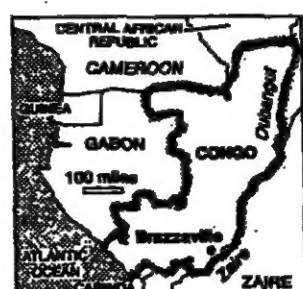
Atlanta award: Winnie Mandela, wife of Nelson Mandela, the African National Congress president, wiping away tears after receiving an award from Coretta Scott King in Atlanta, Georgia. Yesterday was a national holiday honouring Mrs King's late husband, Martin Luther King

## Army's seizure of key areas bolsters Congo coup fears

FROM SAM KILEY IN NAIROBI

HUNDREDS of mutinous soldiers have seized strategic positions in Brazzaville, the Congolese capital. They are demanding the surrender and resignation of Andre Milongo, the reformist interim prime minister who was last year given the task of introducing democracy to the former French colony.

Diplomats in the capital said the soldiers were from the same area or tribe as President Denis Sassou-Nguesso. Yesterday and at the weekend they took control of the airport and treasury as well as radio and television stations. The High Council of



the Republic, which has the power to dismiss the prime minister — who is now in hiding — and last year stripped all presidential powers from Mr Sassou-Nguesso, was meeting yesterday to try

to resolve the dispute. Some observers said the council might consider a vote of censure on the prime minister for his refusal to bow to earlier demands from the military to end his reorganisation of the army and increase pay.

Diplomats said they feared that if the apparent deadlock continued between the military and Mr Milongo, Congo's efforts to introduce multiparty general elections by June could be thwarted by a military coup led by presidential loyalists. "We hope that something will give in the next 48 hours," one said.

The president, who was elected in 1979 and introduced one-party rule to the country, has so far remained silent about the troops' action. He has, in fact, said little on political matters since being stripped of his powers. He was silent even when he and his family were accused of corruption.

The military, who seized Brazzaville's airport last Saturday to prevent the prime minister flying to the coastal city of Point Noire, initially demanded that he sack his deputy defence minister, who was behind plans to reorganise the army to reduce the influence of men from the president's home area of La Cuvette. But, as they have consolidated their positions, so the two battalions of soldiers from the parachute and mechanised infantry regiments have increased their demands. They have said in television and radio broadcasts that they will guarantee Mr Milongo's safety.

## Anti-Moi rally points way to democracy

BY SAM KILEY

BRAVING interminable speeches and a burning sun, 100,000 people crammed into the Kamukuni grounds of central Nairobi at the weekend for the first legal anti-government rally in 25 years. They displayed a level of political maturity rare among their leaders and members of the ruling Kenya African National Union since political freedoms were introduced late last year.

The rally, which went off without disruption, rekindled hope among Western observers that Kenya could adjust to political pluralism after weeks of strongarm government tactics while opposition lead-

ers squabbled among themselves.

The last time police and civilians met at Kamukuni was last year, when many of the opposition leaders on Saturday's platform had been arrested along with a score of journalists.

Jaramogi Oginga Odinga, the former vice-president and leader of the Forum for the Restoration of Democracy, who went into opposition in the mid-1960s and until last year remained in the political shadows, opened the rally with a call for the end of President Moi's "incompetent, corrupt, and unimaginative government".

## American to be Zulu delegate

FROM GAVIN BELL IN JOHANNESBURG

THE nomination of an American academic to a Zulu delegation has raised the hackles of other parties debating a post-apartheid constitution in South Africa.

The dispute arose yesterday at the first meeting of five working groups established by the negotiating forum, the Convention for a Democratic South Africa (Codesa), to draft constitutional principles and discuss interim power-sharing arrangements. The African National Congress and the Communist party protested against the nomination of Albert Einstein to the rival Inkatha Freedom party, because he is not a South African citizen.

An Inkatha spokesman said Professor Einstein was an expert on constitutional law, who had attended the Lancaster House negotiations which preceded Zimbabwe's independence and had acted as an adviser to Boris Yeltsin, the Russian leader. The party had chosen him as one of its delegates to the group dealing with constitutional principles.

■ Nine killed: A South African farmer shot dead nine people and wounded 19 yesterday when he went back with an automatic rifle after an argument with his father over the sale of livestock. The 30-year-old man, who has a history of mental illness, killed his father and several other people on their farm near Ladysmith in Natal, before driving into the town and opening fire on shoppers.

## Cambodia's truce broken

Phnom Penh: Up to 10,000 Cambodians have fled from 25 villages attacked by the Khmer Rouge in the biggest breach of the ceasefire since Cambodian peace accords were signed in Paris last October. Western diplomats said in Phnom Penh last night (James Fringale writes).

Relief agency officials said that 13 villagers had died and 18 had been seriously wounded in shelling that began on January 6 around the towns of Sway Sar and Sung in Kompong Thom province, 125 miles northwest of Phnom Penh. Ten thousand villagers are camped out in five different locations near the village of Sanku.

"The people are living at the roadside, too afraid to return to their villages," Jean-Jacques Frenaud, the chief Red Cross delegate, said.

## Zaire accused

Brussels: Belgium condemned the suspension of Zaire's national political conference and accused Nguzu Karu-Bond, the Zairean prime minister, of breaking promises to strive for democracy in the vast African state. (Reuters)

## Uganda threat

Kampala: President Museveni said he may have to act against Rwanda if it does not stop shelling areas inside Uganda. Rwandan troops last week shelled Ugandan locations where they believed many insurgents were based. (Reuters)

## 'Ivan' plea fails

Jerusalem: Israel's supreme court has rejected a petition to free John Demjanjuk, sentenced to death for being "Ivan the Terrible", in spite of new evidence suggesting he was not the sadistic wartime gas chamber operator at the Treblinka death camp.

## Swap ruled out

Ramallah: Hezbollah, the hostage-holding pro-Iranian group, has ruled out a swap of captured Israelis and their Lebanese allies for Arabs held by Israel in Lebanon, according to Sheikh Subhi Toufaily, a Hezbollah leader in this Lebanon town. (Reuters)

## Ban on ivory

Abu Dhabi: The United Arab Emirates, previously an important transit point for ivory, is imposing a ban on such trade and plans to burn 12 tonnes of ivory seized from local shops over the past few months. Officials here said. (AFP)

## Death penalty

Baghdad: A gang of car thieves arrested here is the first to face execution under last week's Iraqi Revolution Command Council decision to impose capital punishment for looting in times of civil unrest, theft and breaking and entering. (Reuters)

## Male order

Peking: China will have 50 million more men than women by 2000 if the sex-gap continues to widen. Chen Muhua, head of the All-China Women's Federation, said. The tradition of male superiority still led couples to abandon baby girls. (AFP)

## UN votes on Libya sanctions

FROM JAMES BONE IN NEW YORK

THE United Nations was ready yesterday to take the first step towards selective sanctions against Libya over the Lockerbie bombing and that of a French airliner.

The security council was expected to approve a resolution drafted by Britain, France and America calling on Libya to co-operate with investigations by the three countries into the two explosions. The draft resolution deplores Libya's failure to respond "effectively" to Anglo-American requests for the extradition of two suspects in the Lockerbie bombing, and urges Libya "immediately to provide a full and effective response to those requests".

Western officials have pledged to seek a second security council resolution imposing sanctions as a ban on air travel to Libya, if the government in Tripoli fails to hand over the two Libyan agents accused of planting the Lockerbie bomb. Sanctions on sales of military equipment and civilian technology with military uses are also under consideration. But a UN oil embargo is thought to be unlikely.

However, Libyan officials insisted yesterday that they would ignore the UN security council's demands for action and would not extradite the two men.



Family affair: Bill Clinton, with his wife Hillary and daughter Chelsea, after announcing his bid for the presidency last November

## Clinton attacks sleaze tactics

FROM MARTIN FLETCHER IN MANCHESTER, NEW HAMPSHIRE

BILL Clinton, front runner for the Democratic presidential nomination, used a nationally televised debate here at the weekend to accuse the Republicans of spreading a "pack of lies" about his private life.

The Arkansas governor said he had proof that Republicans were behind last week's flimsy claims in an American supermarket tabloid that he had had a number of adulterous affairs. The Republican party was resorting to the "sleaze" tactics that it used during the 1988 presidential campaign, he said.

The governor's aides said the source of the tabloid's

story, an Arkansas state employee sacked by Mr Clinton, had been discovered meeting a member of the Republican National Committee and had admitted receiving advice from him.

Hillary, Mr Clinton's politically astute wife, forcefully affirmed the strength of their marriage at a public meeting in New Hampshire and their 11-year-old daughter, Chelsea, flew in to appear on stage with them on Sunday night.

But despite Mr Clinton's confident denial of the tabloid's allegations, many Democrats remain fearful that a real skeleton could yet emerge. Mr Clinton has vir-

tually admitted past dalliances by acknowledging that his marriage has had its strains and that he has fallen short of perfection. Asked directly by an interviewer last weekend if he had committed adultery, he replied: "If I had, I wouldn't tell you."

Sex allegations apart, Mr Clinton's campaign has been gaining strength. A Boston Globe poll shows Mr Clinton has a clear lead in New Hampshire less than a month before the New England state holds the nation's critical first primary. Victory here would give the Southern candidate an almost unstoppable momentum.

## Mafia songbirds may put 'Teflon Don' in the cage

BY JAMES BONE

John Gotti, the alleged head of America's largest mafia family, has earned himself a reputation as the "Teflon Don". Three times in the past five years the suspected Godfather, who has been described as the biggest American gangster since Al Capone, has been hauled into court to face accusations of racketeering and assault. But prosecutors have failed to make the charges stick.

Today, however, Mr Gotti, who says he earns his living as a plumbing supplies salesman in Queens, the New York suburb, on \$36,000 (£20,000) a year, begins what may be his last showdown with the law.

The US Attorney's Office has assembled an all-star cast of former mafia associates to try him for five murders, including the "sidewalk rub-out" in 1985 of the then mob boss Paul Castellano. If convicted at the three-month trial, the cocky, well-dressed Mr Gotti, who is aged 51, could spend the rest of his life in jail.

The key witness will almost certainly be Salvatore "Sammy the Bull" Gravano, aged 46, a weight-lifter and amateur boxer who was once Mr Gotti's most trusted aide.

The under-boss of Mr

Gotti's Gambino crime family, "Sammy the Bull" is charged on the same indictment as his erstwhile "cousin" with committing three murders. But, hoping for a reduced sentence of only 20 years, he decided last November to defect to the prosecution. Since then, he has been provided

al other mafia aces up its sleeve, and an array of secretly tape-recorded conversations showing Gotti at work in his Ravanetti Social Club in New York's Little Italy.

Anthony "Tony Bonaci" Rappano, a convicted heroin trafficker, is said to be ready to testify even though prosecutors say that he was one of the men who actually pulled the trigger on Castellano.

Philip Leonetti, the one-time under-boss of Philadelphia's Scarfo crime family, is also willing to take the stand to tell how he heard Mr Gotti boast about arranging Castellano's murder.

Deserted by so many old friends, Mr Gotti has been deprived of one of the few who remained faithful who could have helped him in his predicament: Bruce Cutler, his wily defence lawyer who won the acquittals in 1986, 1987 and 1990, has been disavowed from representing him at trial because of his links to the Gambino family.

Many believe, however, that Mr Gotti, now on remand in a \$1.2m cell, might be better off if he is convicted. A rival mafia faction has, they say, issued a contract for his murder to avenge the killing of Castellano.

His testimony is expected to place Mr Gotti near the scene of Castellano's murder outside Sparck's Steakhouse in midtown Manhattan on December 16, 1985. The prosecution also has sev-



Gotti: deserted by his old friends

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# Worries on leader's health overshadow Russia's future



Rutskoi would take over automatically

CONCERN over Boris Yeltsin's health, by no means yet laid to rest, brings into sharp relief the fact that there is no one else of his stature in the emerging Commonwealth of Independent States.

Mr Yeltsin tackled real crises head-on with instinctive confidence and style. He exhibited classic leadership qualities during the August coup. He presented his economic reform programme with unconviction in October and has not swerved from it since. He stood up before 6,000 officers of the former Soviet armed forces last Friday and told them that the union could not be resurrected.

Yet he vanished, apparently, after the coup had been lifted and went on holiday at a time when the post-

With anxieties about Boris Yeltsin's health not yet over, Mary Dejevsky assesses his leadership style and his lynchpin role in the post-Soviet order

coup order had not been fully consolidated. Squabbling broke out soon afterwards in the team he left behind.

Similarly this weekend, the officers' conference was a noisy and chaotic affair from which some sort of transitional body — the "armoured forces" council — was salvaged only with extreme difficulty. Resentful officers dispersed to their units, some believing that their struggle had only just begun, others confident that it had already been lost and that they had been cheated into accepting a formula for the disintegration of the Soviet army. In each case, Mr Yeltsin seemed unable to complete the job he started — or entrust anyone else with completing it. So far, he has always reappeared to recoup any losses he suffered and quell the dissent within his team. His supporters have hardly noticed.

The second question thrown up by the weekend's uncertainty is more serious. If there is doubt about Mr Yeltsin's health, how secure are Russia, the economic reforms, the transitional arrangements for the military?

His continued presence and good health are crucial to the future of Russia and of the Commonwealth of Independent States. Nobody has anything approaching Mr Yeltsin's stature, and there is none who would seem capable of keeping the vast population of Russia and the predominantly Russian officer corps of the former Soviet armed forces relatively docile during massive economic and social upheaval.

There may be local disturbances in Uzbekistan in Central Asia and stuttering civil war in Georgia, but these are minor distractions compared with what could happen if order broke down or the officer corps ran wild.

Mr Yeltsin, it is true, has a chain of command, which previous Soviet leaders rarely had. He has a vice-president,

Aleksandr Rutskoi, who would automatically take his place. He has an elected chairman of the Russian parliament, Ruslan Khasbulatov, who would probably be second in line, and a first deputy prime minister, Gennadi Burbulis.

Mr Burbulis is closest to Mr Yeltsin, but is still learning top-flight politics. He might follow Mr Yeltsin's radicalism most faithfully, but he is not popular in the world of Moscow politics and has not acquired the polish required to operate internationally. He is even more rough-hewn than Mr Yeltsin.

Over the other two "successors" hovers a different doubt: their loyalty to Mr Yeltsin's cause and their ability to hold the population in check by force of personality

alone. In recent weeks, Mr Rutskoi and Mr Khasbulatov have appeared to make common cause on two policies which set them in opposition to Mr Yeltsin.

On economic reform, both have emphasised the human cost of the price liberalisation programme and called for more safeguards or slower progress. They also joined forces in demanding tough action against the rebel leaders of the self-declared republic of Chechnya in the northern Caucasus. They appeared initially to carry Mr Yeltsin along with them, until parliamentary opposition caused the declared state of emergency to be rescinded.

This periodic "opposition" from Mr Rutskoi and Mr Khasbulatov is probably not as damaging to Mr Yeltsin as is often suggested, and

may even serve a purpose in deflecting criticism from the president. Individually or together, however, they have attracted only limited public support and do not appear strong enough either to rally or to lead convincingly, were Mr Yeltsin no longer there. In the commonwealth they would wield no clout at all.

The best that might be hoped is that Mr Rutskoi would, as vice-president, nominate Mr Burbulis to be prime minister, and that Mr Khasbulatov would keep parliament in check, allowing new presidential elections to turn up a new leader. Without Mr Yeltsin's acquired sense of responsibility and his innate sense of the popular will, however, the future for Russia and its neighbours would be bleak and uncertain.

## EC doubts over food aid conference

# Yeltsin and Major to sign joint accord

By MICHAEL BINYON, DIPLOMATIC EDITOR AND MARY DEJEVSKY IN MOSCOW

AFTER expressing optimism in Moscow over the control of nuclear weapons, Douglas Hurd, the foreign secretary, arrives in Washington tomorrow for a world conference on co-ordinating food aid to the former Soviet Union.

He will be among the foreign ministers from 60 rich and industrialised countries represented at the two-day meeting which President Bush will open in Washington. Britain has backed the American initiative, though recognising that it is largely a way for the Bush administration to galvanise domestic support for helping Russia and the republics.

But France, which is not sending its foreign minister,

is among several countries which regard it as disorganised, unfocused and an American attempt to hijack a European initiative.

Mr Hurd, ending a tour that took him to Kazakhstan, Ukraine and Russia, said the agreements among the nuclear republics were still on paper, and pointed to difficulties on the attitude of Kazakhstan to the non-proliferation treaty and the compliance by the republics with the Conventional Forces in Europe treaty.

The foreign secretary also had a long talk with President Yeltsin on security and economic issues. Mr Yeltsin will sign a joint declaration with John Major dur-

ing his visit to London on January 30 on his way to the special summit of the United Nations Security Council.

Mr Hurd said that Britain was "pressing hard" for Russian membership of the International Monetary Fund, which, he said, was the next, and third, phase of help to Russia after food aid and technical aid. He announced another two projects to be financed by the Know-How Fund and macro-economic help.

The Washington conference on aiding the former Soviet Union is the most concerted effort so far to break the cycle of waste, bureaucracy and political corruption that have blocked Western efforts to get food, medicines and shelter for returning troops and technical assistance to people most in need. However, the Europeans have privately expressed scepticism about its prospects, as it has been hastily convened, has no concerted goal and does not include the countries that most need to be represented: Russia and the other ten members of the Commonwealth of Independent States.

The State Department did not invite them, saying it wanted to avoid a pledging conference. Washington believes enough aid had already been promised, and the problem was how and where to distribute it. The European Community has already pledged some \$3 billion (£1.68 billion) in food and medicines, but so far only a tenth of the amount has arrived. The United States has promised a similar amount, though even less has been delivered. And Japan until now has not promised anything, though it is likely to announce a \$50 million grant for emergency food aid when experts meet today to draw up draft proposals.

Britain, co-chairman with the Canadians and Germans, is taking a guarded view of the meeting's usefulness. Bilateral British aid, amounting so far to \$20 million, has been getting through much more quickly, although the British beef consignment ran into bureaucratic delay. All countries however are complaining of similar exasperating snailshells and corruption. The mechanisms of distributing food aid have not been worked out. Britain wants to sell food, preferably by auction, so as not to distort the market, and use the proceeds to help the needy.



RUSSIAN FEDERATION  
ABKHAZIA  
NORTH OSETIA  
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TURKEY

## Pressure grows on Georgia regime

Zviad Gamsakhurdia's supporters are waging economic war against the Tbilisi regime that ousted him from power, Bruce Clark reports from Sukhumi

Supporters of Zviad Gamsakhurdia promised yesterday to tighten their stranglehold over western Georgia's economy until their president is restored to power in Tbilisi.

"We will continue with our peaceful struggle until the whole of Georgia is once again under Mr Gamsakhurdia's authority," Gocha Bahir, a close associate of the nationalist leader who fled his besieged parliament, said.

In this coastal town there was a mood of sullen resentment compounded by increasing economic hardship and long power cuts, leaving homes unheated during an unusually heavy snowfall. Strike organisers said that most factories, except those making everyday necessities, were at a standstill, as were the railways and most public transport.

Reactions to recent events in Tbilisi ranged from sullen indifference to outrage over the "putsch" that is almost invariably blamed on Eduard Shevardnadze, the republic's former communist party chief. A seafaring demonstration by about a thousand people, apparently a daily event in Sukhumi, brought confirmation of the extraordinary appeal that Mr Gamsakhurdia continues to hold — particularly for people who felt excluded from the communist patronage machine.

A peasant woman in black screamed: "I have been watching Zviad Gamsakhurdia since he was a little boy, and that is how I still think of him." Another woman in black said she had walked 15 miles through the snow to attend the demonstration and would do so every day until justice was done.

In contrast with Tbilisi, dismay over the violent overthrow of Mr Gamsakhurdia is shared by many better educated people, the kind who in the capital tend to support the new regime. Raul Lomidze, a university lecturer and protest organiser, said the whole of the local education system was at a standstill and would remain so until democracy was restored.

The authorities in Abkhazia, the autonomous region of which Sukhumi is capital, are terrified that the imbalance

The deputy president, a moderate Gamsakhurdia supporter, predicted "sabotage" through negotiations between the two sides who were until recently, as he pointed out, close associates in a single political movement headed by the president.

Mr Gamsakhurdia's whereabouts were being kept secret, although it is widely assumed that he is somewhere in or near his stronghold of Zugdidi. Yesterday, his supporters appeared to be concentrating their forces on the port of Poti, control of which could determine the success or failure of their efforts.

Victory "soon": Dzhaba Ioseliani, one of the two leaders of the ruling military council in Tbilisi, told Western reporters yesterday that resistance to the regime would be overcome in a matter of days.



Winning smile: Zhelev Zhelev, who was elected president of Bulgaria on Sunday, carrying a child at a Sofia polling station. Mr Zhelev won 53 per cent of the poll; his nationalist rival, Velko Valkanov, won 46 per cent

## Ballot puts brake on Sofia reforms

By ROGER BOYES, EAST EUROPE CORRESPONDENT

PRESIDENT Zhelev of Bulgaria, elected head of state on Sunday after a surprisingly close contest with the communist-backed candidate, has pledged to continue economic and political reforms. But it is already plain that the president — with few of the powers enjoyed by Presidents Yeltsin or Walesa — will find it difficult to push through the government's unpopular and increasingly painful "shock therapy" market programme.

Zhelev Zhelev was driven into a tight corner by his nationalist rival, Velko Valkanov, who secured only 7 per cent less than Mr Zhelev's 53 per cent in the final round of voting on Sunday.

Most of President Zhelev's support came from Sofia and other large cities, traditionally loyal to his party, the Union of Democratic Forces. But Mr Valkanov picked up many votes, especially in towns with large concentrations of ethnic Turks, such as Rusegrad.

Mr Valkanov was backed both by the communists — who said that President

Zhelev would drive up unemployment — and by ultra-nationalists who played on the fears of ordinary Bulgarians that ethnic Turks have too much political clout in the government.

The Union of Democratic Forces government depends on the parliamentary support of the ethnic Turkish party, the Movement for Rights and Freedom, and though no Turks have been given cabinet positions the government has been steadily rolling back anti-Turkish measures introduced under the communists.

The size of Mr Valkanov's vote shows how much President Zhelev has to do to build a social consensus for market reforms.

Unemployment stands at 425,000, 10 per cent of the workforce, and is likely to rise fast this year. In mixed Turkish-Bulgarian areas this is a particularly potent issue. Ethnic Turks are publicly accused of "stealing" Bulgarian jobs.

Markov's killers, page 12

## Paris edges closer to nuclear U-turn

FROM PHILIP JACOBSON IN PARIS

FRANCE's cautious process of reversing its doctrine of independent nuclear deterrence has been nudged forward by Pierre Joxe, the minister of defence. Acknowledging that the profound changes in Europe and beyond demand a reorientation of accepted thinking on defence, M Joxe echoed recent remarks by President Mitterrand about the possibility of a common European strategy.

There could be no question of France renouncing its gaullist legacy of nuclear dissuasion overnight, he said, "but things could change in the future as far as co-operation with our allies is concerned, nuclear strategy included". M Joxe added that France would be interested in discussing this strategy with Britain, Western Europe's other nuclear power. Talks on a joint development of a new long-range, air-to-ground missile were already in progress, as well as "discussions on the conditions in which our nuclear forces might be

combined", he said. M Joxe's contribution to the defence debate comes barely two weeks after M Mitterrand startled observers by hinting that there was now a question mark over a policy that has served throughout the life of the fifth republic. "Only two countries in the European Community have nuclear weapons," he said at a conference in Paris. "Is it possible to conceive a European doctrine?"

Although M Mitterrand would not be drawn further, this was taken as confirmation of persistent rumours that a fundamental review of French defence strategy is already well under way. Senior government circles widely accept that the new realities of Europe, and the collective action that the West will have to develop to meet the needs of security, imply the end of the classic gaullist position on the total independence of France's nuclear arsenal.

Diary, page 12

## UN peace force for Croatia is 'doomed'

Belgrade: The proposed United Nations peacekeeping force for Croatia is "doomed" unless it secures the agreement of Croatian Serbs, according to their leader, Milan Babic (Our Foreign Staff writes).

Mr Babic, president of the self-proclaimed Republic of Serbian Krajina, was speaking after visiting Belgrade over the weekend. He said he had come under considerable pressure to alter his stance on the deployment of a UN force but he was refusing to give ground and accept the UN peace plan.

Under the terms of the UN plan for Croatia and Yugoslavia up to 10,000 troops would be deployed in mostly Serb regions of Croatia. The Yugoslav army would withdraw and Serb militiamen would be disarmed.

## Stolpe defies call to resign

Bonn: Manfred Stolpe, the widely respected prime minister of Brandenburg state, has rejected calls for his resignation after disclosing that he had about 1,000 meetings with the hated Stasi during his 27 years as a lawyer for East Germany's Protestant church.

Herr Stolpe said he wanted to counter "hysterical tendencies" in the public debate over how to handle the growing number of east Germans being unmasked as undercover spies. (Reuter)

Guard jailed, page 1  
Leading article, page 13

## Milk round

Amsterdam: A Dutch-invented robot that can move around a barn and find and milk cows without human assistance has been launched. Gascogne Melotte Holding says that the cows like it because they are milked more often and have freedom to move around. (Reuter)

## 'Nazi' plot

Budapest: Hungarian police are investigating a neo-Nazi group, led by a caretaker, which is suspected of an armed plot to establish a "national-socialist state". The group, based in Győr, is said to have accumulated much military equipment. (Reuter)

## Condom call

Paris: Lionel Jospin, the French education minister, backed a suggestion to distribute condoms in high schools to combat the spread of Aids. (Reuter)

## Falling in love again with Hollywood's arch-rival

Film studios that once rivalled Hollywood are being put up for sale in the hope that they will do so again. Ian Murray writes from Potsdam

Also for sale are Britain's crown jewels, a large number of Van Gogh's best-known paintings and an impressive collection of kitchen sinks. All except the sinks are of course fakes, part of what the Guinness Book of Records has just agreed is the world's largest collection of cinema props. A certificate confirming this now has pride of place in one of the long, drab sheds on the 106 acres occupied by the studios. Europe's largest film production site.

From their foundation in 1911 until the end of the war, the studios made more than 1,300 films. Fascism

drove leading names away, but the regime knew the propaganda value of the studios and used their 30,000 technicians to produce features and documentaries extolling the virtues of Nazism.

After the war the communists decided to refurbish the studios regardless of cost. Orders went out to assemble a new collection of props because all save the barrel from *The Blue Angel*, in which Dietrich said to seduce a generation with her rendition of *Falling in love again*, disappeared at the end of the war as hungry staff stole the clothes to



Screen legends: Garbo, left, got her break in the studios and Dietrich captured a generation's heart



Screen legends: Garbo, left, got her break in the studios and Dietrich captured a generation's heart

Film company began operating here in 1946 and made more than 700 cinema and 620 television productions. Although political guidelines meant permitted topics were often not good box office in the West, one film, *Jacob der Lügner* (Jacob the liar), won an Oscar nomination, proof that the technical staff at least could produce quality films.

Treuhand, which wants the complex to include an existing, well-respected local film academy and a radio station, as well as television and cinema studios, is investing DM5 million (£1.75 million) to modernise the infrastructure. With EC pressure to import fewer American films, the agency hopes a resurrected Babelsberg can be the centre of a European industry able to challenge for world markets.



FILMS ON TELEVISION

# Revenge of the celluloid turkeys

Where do they come from, those terrible films that haunt the late-night TV schedules? Geoff Brown investigates

**S**lumped in armchairs and sofas, Christmas pud nestling gently on the tump, 14.3 million people across the nation watched *Batman* on BBC 1 early in the evening on Christmas Day. Many of them scarcely stirred the rest of the night, not even to change channel: at nine o'clock, 13 million settled down to BBC 1's next big film, *Coming to America*, with Eddie Murphy.

Television might have gobbled up British cinema audiences in the decades since the 1950s, but every Christmas (if not every week) cinema gets a kind of revenge and demonstrates its unique, magnetic power. Without celluloid, the end-of-the-year television schedules would be a series of gaping holes over the two weeks of Christmas and New Year. *Radio Times* listed 254 films across the four main channels — roughly 18 a day.

But not every film — at Christmas, or any other time — expects or gets audiences in the millions. Channel 4's recent midnight forays into Italian "sword and sandal" epics (those mythological fantasies featuring beefcake males, curvaceous ladies, and scenery that might collapse with a cough) found on average 300,000 takers.

In *The Hero of Babylon*, Gordon Scott, a former Tarzan, used his billowing chest to wrest Babylon's throne from the tyrant Balthazar (main occupation: sacrificing noble girls). "Today, I'll be offering my hair at the temple," murmured the Italian starlet Alessandra Panaro (via a subtitle in *The Bacchantes*, a bizarre gallimaufry of writhing orgies, blue-rinsed beads and cardboard breastplates. Cinema buffs at least were happy: this particular film, made in 1961, was making its British debut.

Part of the television film programmer's job is to balance *The Bacchantes* with *Batman*: to offset the popular titles that audiences crave with the oddities, disasters and the merely mundane needed to fill up the schedules. At any one time, the BBC can fish from a pool of some 6,000 films; Channel 4 currently holds around 2,000 titles.

The amassing and administering of these celluloid mountains is a mysterious and secretive business. Films are mostly bulk buys, purchased in packages from the American majors and other distributors. Deals are struck either in London with the companies' representatives or at various international trade fairs. Festivals can prove a

good hunting ground for the individual foreign film, though these, at least at the BBC, are a dwindling breed: Gay Robertson, the BBC's foreign film buyer, admits, with regret, that she did not buy any last year.

Channel 4, in particular, picks up additional material by participating in the financing of films, both at home and abroad. There are other, more offbeat avenues to explore: Mairi Macdonald, the channel's chief film buyer, purchased the "sword and sandal" delicacies from an Australian specialist channel, SBS, designed to cater for ethnic minorities. Their audience figures, she says, were as good as could be expected.

So what are in these bulk buys? Tear open a typical American package, and you will find six major titles such as *Batman* or *Terms of Endearment*: films destined to be seen up the programmer's sleeve in the ratings war with rival channels. There will also be ten other new films — decent enough, but nothing to build a Christmas around.

**T**hen come 12 television movies, useful for the quiet hours or some desperate season like "Starring David Janssen" (once brazenly mounted by London Weekend Television). The bulk of the package, though, is yet to come: a back catalogue of 200 titles from decades past, mixing cherished classics with the humdrum and forgotten. The package is purchased for around seven years; within that period, most films may be shown three times.

And the cost? The drawbridge is raised once you try to prise figures out of a television executive. But when the BBC bought an MCA package of 145 films in 1986, the cost was around £5 million, which worked out at an average transmission cost of £300 per minute. Prices have risen since then, and a package might now fetch £10 million or more; yet a transmission price of £600 per minute would still compare favourably with the cost of BBC drama, where each minute gobbles up several thousand pounds.

Once purchased, financial prudence dictates that each film in the package should be shown at least once. Hence the turkeys that stalk the screen at two in the morning to a few insomniacs and video machines. Occasionally, films will fall



ARISTOS CINEMATOGRAFICA PRESENTA  
**GORDON SCOTT  
L'EROE  
DI  
BABILONIA**  
— MONICA BRUFFI — PIERO LULLI — ANTONIO SCOTTI — MARINO PETRI  
— SIRIO MARCELLINI — DISTRIBUZIONE — CINEMA

Publicity for two Italian "sword and sandal" features: forgotten epics such as these form the bulk of film packages bought for TV

foul of television policy on violence and remain unseen: scenes depicting hangings, or any dangerous behaviour easily imitated by children, cause particular problems. Films in black-and-white can also run into difficulty during peak viewing hours. Channel 4 may still get away with a black-and-white Dirk Bogarde film, *Victim*, at 10pm on a Saturday night; but BBC 2, bowing to audience taste, increasingly shunts its black-and-white material away from the evening into the wee hours.

The package opened, the television film programmer can never plunge in and pull out a goodie at will. Running times play a major part. Channel 4 favours two-hour afternoon time slots: the perfect length for those dull, well-upholstered MCM dramas, always two reels too long. If rights to the package are expiring, one more screening must be squeezed from many films, no matter how tired.

But the biggest constraint on the film programmer's fun is the channel controller. On Monday,



LE BACCANTI  
TAINA ELIO — PIERRE BRICE  
ALBERTO LUPPO — ALESSANDRA PANARO  
AKIM TAMIROV

the programmer might devise the most imaginative season this side of Timbuktu: on Tuesday, the idea is history. Or a season, once accepted, might be shrunk to a handful of titles: on BBC 2, this has even happened to seasons in progress. Priorities at the BBC have recently shifted from long-planned seasons on directors, actors or countries to quick film series inspired by current world events. The upshot is that Gay Robertson has almost 200 foreign language films awaiting transmission. She

BRIEFING

## Branagh is back

**FOLLOWING** last week's announcement that Kenneth Branagh is returning to the Royal Shakespeare Company to play Hamlet at the Barbican this year, comes news that his Renaissance Theatre Company will open the 1992 Chichester season with a production of *Coriolanus*. Branagh will play the title role, with Judi Dench as Voltemnia and Richard Briers as Menenius. *Coriolanus*, directed by Tim Supple, stars previews on May 4 at the Chichester Festival Theatre, which is celebrating its 30th anniversary this year.

## Stepping out

**IREK** Mikhamedov, the Bolshoi star who joined the Royal Ballet 18 months ago, is starting a group with selected colleagues who will perform in their off-duty hours, taking ballet to smaller theatres. Viviana Durante, Belinda Harley, Bonnie Moore, Sergiu Poberznic and William Trevitt are expected to dance with him. Besides the usual bravura show pieces, they will give new works made for them by three Royal choreographers: Matthew Hart, Ashley Page and William Tucker. The group makes its debut on April 14 at the Demagie, Northampton, one of the theatres chosen to lead the Year of Dance in 1993.

## Last chance

**AMONG** the most fertile sources of images throughout Turner's later career were three tours he made through the Rhineland and the Ardennes, which inspired thousands of pencil sketches later worked up in oil, watercolour and gouache. The earliest major tour was in 1817, followed by return visits in the 1820s and 1830s. The show at the Tate (071-821 1313), called "Turner's Rivers of Europe: the Rhine, Meuse, and Moselle", is the first coherent re-assembly of these materials, which are quite as notable as, but much less well known than, the Rivers of France which Turner himself published in the form of engravings. Until Sunday.

## ARTS REVIEWS

Dance, rock and theatre  
page 16

CLASSICAL MUSIC: BERG FESTIVAL

## Ruthlessly modern Romantic

**T**here was something of the jaded world traveller about John Drummond's cheerful confession at the start of this weekend festival in what has become an annual institution. The BBC had "done" Stockhausen; it had "done" Birtwistle; it had "done" Boulez and Berio. And Henze. What could it "do" next? Ligeti? No, the people down at the South Bank had been there a couple of years ago. So how about trying a different continent, that of composers dead but unwilling to lie down, i.e. that of the 20th-century classics? How about Berg?

Perhaps it really was that accidental, but, in the way of these things, it was a happy choice. In Andrew Davis, its current chief conductor, the BBC Symphony Orchestra has a musician who can be passionate about Berg's complexity, and forthright about putting the music across. Some of these Bar-

bican performances could maybe have done with more rehearsal: some hit patches of ill luck. It was, after all, a staggering undertaking for any orchestra — and surely without precedent — to programme eight Berg works on two consecutive evenings. The wonder was that so much sounded right, and not just right but boldly right.

Two things stood out, as they would have to do in any decent Berg festival: the lyrical drive and the magnificent heftiness of the music. Schoenberg, in a characteristically self-serving but at the same time honest remark, once said how he had gone to great lengths to correct the young Berg's inability to conceive a theme of instrumental rather than vocal character, but one may wonder if he succeeded. So much of Berg sings, and sang here, especially in the playing of clarinets, brass and cellos.

As for the teeming musical traffic, the high points were

the performances of the post-Mahlerian Three Pieces and the Chamber Concerto, the latter beautifully balanced, extraordinarily lively in the finale (with the long repeat well earned) and distinguished by big, full solo playing from Peter Donohoe and György Pauk.

**D**onohoe's performance showed too how closely Berg's atonal but luminously harmonic piano writing of the 1920s looks at once back to his early 19th-century sonata-like self-service, which we had heard Donohoe play earlier the same day) and forward to the tumbling gymnastics of the Athlete's music in *Lulu*. The music, whether rapturously turned-of-the-century and nostalgic or ruthlessly modern (or, as is so often the case with Berg both at once, is all of a piece, and one of the main virtues of such festivals is in making that wholeness so clear and rich a discovery.

In Berg's case it helps that the output is so small, so that during this weekend we could hear absolutely all the concert music he wanted preserved, and a little more besides. Into the latter category fell a couple of groups of early songs, stoutly delivered by Alan Opie, but seeming rather irrelevant if it is the seven early songs Berg himself self chose to publish that chart the way ahead (one blemish on the festival was to offer them in an effective but still dimming arrangement for a Schoenberg-style utilitarian ensemble of flute, clarinet, piano, harmonium and solo strings, rather than in Berg's bright 1920s vision of Romanticism).

Another curious addition to the canon was the finale of the Lyric Suite for string quartet done as a song. This cannot be right: the underlying Baudelaire poem is surely meant to be a secret message, besides which the voice obscures telling details in the string writing (very telling details in this quite superb Lindsay Quartet performance) and is poorly prepared. And Berg, as this weekend highlighted, had a great sense of the musical occasion: of the importance of entries, and, supremely, the importance of endings.

The last ending was appropriately that of the suite from his second and not-quite-completed opera *Lulu*, with Judith Howarth bringing exactly the right combination of radiance and assertiveness to *Lulu*'s strenuous song of self-definition. But this was not an ending at all. As a performance it reminded one of the vocal triumphs of the other orchestral concert, when Yvonne Kenny had threaded a beautiful path through the Altenberg songs and the excerpts from *Wozzeck*, while the finales of both those works were recalled too in the substance of the *Lulu* adagio.

There does seem, too, to be a strange, almost unbecoming deliberateness in the cross-referencing. The works of most artists cohere in some way: Berg appears to have been self-conscious about marking allusions, almost as if he had been hoping for a John Drummond to come visiting some day.

PAUL GRIFFITHS

EXHIBITIONS: BERLIN

## In praise of an exotic past

John Russell Taylor reports on an ambitious celebration of Jewish life

**T**he fashion for blockbuster exhibitions comes and goes, very much according to the availability of funds for their staging. West Berlin has in recent years been the great home of megashows, but united Berlin is in a different financial situation. It comes as something of a surprise, albeit a pleasant one, to see the *piano nobile* of the Martin-Gropius-Bau at the beginning of 1992 hosting yet another international project of vaulting ambition. Patterns of Jewish Life.

The cynical might say that in the sensitive political climate of modern Germany no one would dare to stint on funds for such a show on this subject. Be that as it may, the exhibition clearly inscribes itself in the succession of enormous inter-disciplinary exhibitions that Berlin has staged in the recent past, concerning themselves with the cultural interchange between continents or trying to isolate the essential idea of Prussia. This time what is sought is a sense of continuity and connection in worldwide Jewry.

To the British visitor there is a faint suggestion of those shows seen in this country in the last decade which partly celebrate and partly dissect Britain's colonial past. "Patterns of Jewish Life" offers the same kind of opportunity for discreet breast-beating on the part of locals, while at the same time the problem is essentially of the past and today quite sanitised (however ruthlessly) by history. Just how ruthlessly may be gauged by the fact that in Berlin, once one of the world's great centres of Jewish culture, there are now barely 5,000 Jews, and only about 40,000 in all Germany.

However, there is no doubt that a measure of collective guilt engenders interest. For the present-day German in German life is something remote and exotic: hardly less



On show: Rodin's bronze of publisher Joseph Pulitzer

In general the more recent period could do with more art and fewer documents, though there are some triumphs, such as one of the few surviving figurative, Judaic paintings from Rodin's early career, and Issachar Ryback (1897-1935), a close associate of El Lissitzky, is a real discovery: most of his work has been rooted out of an unlisted personal museum in a suburb of Tel Aviv.

But on the whole, the more extraordinary and compelling the material shown. Perhaps that is a sad reflection in itself.

Patterns of Jewish Life, Martin-Gropius-Bau, Stresemannstrasse 110, Berlin (30-254 86103) until April 26.

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# Hartnell goes high street

Can a Frenchman make a very English fashion house a household label?  
Liz Smith reports

A year ago Hartnell, the dowager couture house of British fashion, underwent a facelift. Nips and tucks were made to the structure of the 18th century house in Mayfair where Sir Norman Hartnell established his couture salon in 1934. The silvered glass chimepiece, crystal chandeliers and bevelled glass panels were all restored. More fundamentally, however, a dodgy fashion image was given a rejuvenating shot of Parisian chic. Marc Bohan, the craftsman couturier who headed Dior in Paris for more than three decades before his abrupt dismissal in 1989, was installed in the Hartnell design studios on a three-year contract reputedly worth £1 million. His loyal clientele, who had boycotted Dior in protest at his departure, was expected to follow him. All, it seemed, was in place for the revival of the fortunes of the royal couture house.

One year on has Hartnell recaptured the patronage of a new generation of British royals? Has M Bohan's chic international fan club, headed by Princess Caroline of Monaco, followed him to London? Will Manny Silverman and his consortium of financial backers, who saved Hartnell from the receivers in 1987, recoup the investment?

The answer to the first two questions is "no". The answer to the third depends on the reception given to M Bohan's first Hartnell ready-to-wear line, which arrives in stores around the country this month. A year after his London debut, M Bohan, dressed in the traditional couturier's white coat, presides over a studio team and two workrooms (one for tailoring, the other for "fit" or soft dressmaking). "It all works," he says. "A year ago it was a total nightmare."

The success of the ready-to-wear line is crucial if Hartnell is to be



established as an international status label, and for the name to prove a money-spinner for licensed fragrances and accessories.

A Hartnell ready-to-wear suit, tailored by M Bohan, averages £500, compared with a couture suit made to measure, which costs between £2,500 and £3,000. Harvey Nichols, Selfridges and Fortnum & Mason in London, with Jennens in Edinburgh, Claremont in Harrogate and other shops out of London, have all invested in the Hartnell name.

Sketches for the new Hartnell De Luxe line, designed to bridge the price gap between haute couture and ready-to-wear, are pinned on the studio wall. From £250 up to £1,500, it will be sold off-the-peg exclusively in the Bruton Street central London, salon.

And anyone who can sew can



Hartnell at home: white cloqué suit by Marc Bohan, available as a Vogue pattern for sewers to copy

now make her own Marc Bohan creation with the launch of three Hartnell Vogue patterns this month. As well as the white cloqué suit, above, first seen in the couture collection a year ago, patterns are available for a dress and jacket and a cocktail dress.

A range of Hartnell off-the-peg wedding dresses designed by M Bohan goes into the shops next month, priced from £1,000 to

£2,000. Society weddings have kept Hartnell's couture workrooms busy recently with both Princess Hani Salam Talal of Jordan and Annabel Palumbo wearing Bohan-designed gowns.

In a year, M Bohan has created two haute couture collections for Hartnell. His third, for spring with curving wrap skirts and rounded lines in the jackets, predominantly in shades of blue, a

few longer length skirts in the day clothes) will be unveiled tomorrow at the London couture shows.

M Bohan's Parisian restraint is a welcome change from the traditional Hartnell froth, which can only be successfully carried off by the Queen Mother and Dame Barbara Cartland, its most visible clients. But so far there have been few customers for M Bohan's cashmere or satin parkas, lined in

The success of the ready-to-wear line is crucial if Hartnell is to become an international status label



Long line: from the ready-to-wear, centre, and couture collections

a patchwork of fake fur (£3,000), his polished couture suits with long-line jackets and short pleated skirts or his pretty, understated evening dresses.

That the jet set has failed to turn up in force to be dressed by M Bohan at Hartnell must be measured against the fall in custom at the established Parisian couture houses, too. But it is disappointing that he has not yet won the custom of the Princess of Wales and the younger royals, who order from other London designers showing this week, such as Anouska Hempel and Victor Edelstein. The Queen is dressed mainly by Hardy Amies.

Who does wear Hartnell clothes? Princess Caroline, still in mourning a year after the death of her husband, may not have followed M Bohan to London but has commissioned from Hartnell some snazzy red and white suits for hostesses at the Monaco Pavilion at the Seville international exhibition in May. Princess Firyal of Jordan and Sao Schumberger, a Paris-based socialite, are among the Paris couture set who

have ordered from Hartnell. Having designed maternity clothes for Anne-Sophie Mutter, the violinist, to wear for performances ("not so easy"), M Bohan is now designing the baby's christening robe. When *The Times* was photographing at Hartnell, Madame Hélène Propper, the grandmother of Helena Bonham-Carter, was being fitted for a coat. With the new off-the-peg ranges, cashmere knitwear being made in Galashiels, accessories and men's ties in the pipeline, Mr Silverman believes he is establishing Hartnell's identity.

"Everything is coming along nicely," he says, taking off a pair of half-moon spectacles made by Dior. "It's funny, both Marc and I wear Dior glasses. We hope to have our own Hartnell ones soon."

● Marc Bohan's spring couture collection for Hartnell will be shown on March 4 at a charity gala evening at Christie's, 8 King Street, London SW1. An original Marc Bohan sketch will be raffled. Tickets, £75 each, from the Wines & Spirits Trades Benevolent Society (071-248 1343).

## Standard lamps

The shade remains the same: taste in lighting means that new designs have a familiar look

The Student Lighting Designer of the Year will be named next week at Earl's Court, London, during Lightshow 92. Britain's premier exhibition for the trade. On the strength of the catalogue, the winning effort will be just about the only example of truly modern lighting to be seen.

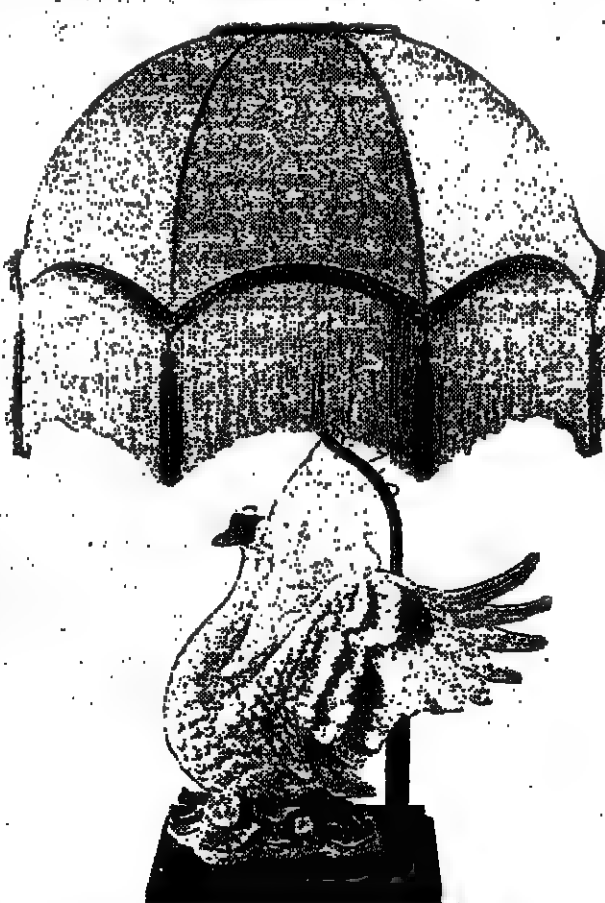
In this country, we are sold on what is termed traditional lighting (as if the Georgians habitually stuck a silk shade on to a Chinese temple jar and plugged in the result), and therefore that is precisely what the high-street shops concentrate on providing.

In general, Britain seems not to have taken such technological advances as tungsten-halogen uplighters to its collective heart. At home, what we want to be is cosy.

Much of the reluctance to embrace modern concepts in lighting stems from the 1960s and early 1970s. The globular, collapsible paper shade made its debut then (and it still sells well, largely because it is cheap, gives a clear, shadow-free light, and there is almost no affordable alternative). While we were told that spot and track lighting would "draw attention to our possessions" while "washing the walls" what it did, in effect, was to temporarily blind people who got in the way and throw up grotesque shadows all over the ceiling.

More and more, people became convinced, as they tottered away blinking like pit ponies emerging into the sun, that what was needed was straightforward ceiling, wall and table lighting which, whatever its other qualities, enabled one to see.

Of course there are manufacturers of first-rate contemporary lighting (Artemide, Arnelux, Flos) and some awe-inspiring examples are on display at a few outlets: the London Lighting Company, Heal's and Habitat, most notably. However none of these manufacturers will be



At home: swan base with tasselled shade, by Florence at Lightshow 92, because it is a showcase for British firms and, rather tellingly, there are no British equivalents.

So what are the new trends that Lightshow 92 will highlight? Keven Verdon, the president of the Lighting Association, says the exhibition is intended to become the leading international show, eclipsing such key events as Luminaire in Paris and EuroLuc in Milan.

Surely, thus, this country must have some revolutionary new concepts on offer? Apparently not. The catalogue features page after page of beautifully photographed ceramic lamp bases in the style of the Sung dynasty, crescent-sided damask shades with tasselled fringes, crystal drop chandeliers, Tiffany lamps, brass Flemish multi-branched wall sconces, etched glass globes, art deco chrome, classical urns and columns, figurine bases (anything from Buddha to the flustered swan, pictured above) and garden

lighting to rival the most archetypal Victorian lamp-post. The only discernible new trend is the wholesale electrification of all those bronze and verdigris candlesticks and candelabra that have lately flooded the market.

The suggestion that both manufacturers and retailers have failed to see the light is tempting, but the reverse is true. In Britain, 85 per cent of all lighting is sold in multiple stores. The reason why the stock at John Lewis, BHS, House of Fraser, Debenhams and even Peter Jones and Harvey Nichols never seems to change, is because it never does.

The lighting trade, in today's economic climate, wishes to supply only what we are prepared to buy. For the foreseeable future, it seems that there will be no exchange of new lamps for old.

JOSEPH CONNOLLY  
Lightshow 92, Earl's Court 2.  
Trade only, January 26-29 inclusive, 9.30am to 6pm.

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## Scotland's wrong turn

Michael Forsyth on the dangers of devolution

Neil Kinnock may have been unusually prophetic when he warned against devolution in 1978: "People who light fires must expect explosions." His commitment to establish a Scottish parliament with tax-raising powers in the first year of a Labour government has drawn attention to the generous levels of public expenditure and parliamentary representation that Scotland enjoys. Spending on hospital treatment in Scotland is £475 per person, compared to £378 in England. Local government is supported to the tune of £1,150 per person, more than 50 per cent higher than England's £733. Spending per pupil in Scottish schools stands at £1,900, compared to £1,200 in England.

The bulk of Scottish Office funding is determined under a formula which gives 10 eight-fifths of any increases in English expenditure in key areas such as housing, health and education. It is difficult to see how this formula, which no longer reflects relative population levels, could survive if a tax-raising parliament were established for Scotland. English MPs are unlikely to grant a parliament in which they have no vote 25 per cent more cash than they do for their own constituencies. Any shortfall, however, would mean cuts in services and higher taxes in Scotland, destroying jobs and driving out investment and talent. Inevitably, Westminster would become the scapegoat for every grievance, and the Union itself would be put under intolerable pressure.

Twenty years ago, when devolution first appeared on the political agenda, Labour's Tam Dalyell raised the fundamental difficulty with his famous "West Lothian Question". Yet today Mr Kinnock and his colleagues have still to address its implications, let alone answer it. In order to maintain power, any future Labour government must retain the right of MPs from Scotland and Wales to vote on all matters at Westminster. Yet if there is to be a parliament or assembly with legislative functions, the constitutional contradiction which Mr Dalyell pointed out immediately arises. Why should Scottish and Welsh MPs be able to determine domestic policy in England, while having no say in such matters in their own constituencies?

Turning the West Lothian Question on its head, English Conservative MPs are asking why an England that has voted Conservative should have socialism imposed upon it by the swollen ranks of Scottish Labour MPs. In 1964, the Conservatives had a majority of 12 in England, but Scotland and Wales gave Labour its victory. In February 1974, the Conservative majority in England was 20, but Harold Wilson was returned to Downing Street. Labour's hopes of a general election victory this year depend on Scotland and Wales to an even greater extent than then. In these circumstances Labour's devolution proposals would create the constitutional crisis Tam Dalyell predicted. Once virtual "home rule" was guaranteed for Scotland and Wales, a cry of "home rule for England" would go up in Conservative ranks, and the break-up of the United Kingdom would be brought closer.

On August 17, 1974, John Smith, the Shadow Chancellor warned a Labour conference that those who press for devolution could not have their cake and eat it. He was right, just as Mr Kinnock was right to campaign against the last Labour government's proposals for assemblies in Scotland and Wales. To appease his Scottish members, the Labour leader is now prepared to put the future of the Union itself in jeopardy. Interestingly, only two Scottish Labour MPs have so far indicated that they would wish to leave Westminster for the Scottish parliament.

I remain a firm supporter of the Union. It has been of enormous value to Scotland, and the presence of the Scots has added greatly to the quality of life and achievement of Britain. If the Union were to be undermined by the withdrawal of consent to it by one or both signatories, then the Scottish Nationalists' case for an independent Scotland might be more logical than the half-baked, halfhearted way proposed by Labour. At the end of that road lies the disaster of a separation compounded by the recrimination and resentment it would undoubtedly bring. The author, Conservative MP for Stirling, is minister of state at the Scottish Office.

Janet Daley calls for an end to a dangerous fixation with the royal family, which costs Britain dear

## An enemy of the people

I am always stunned with admiration by the ingenuity with which royal apologists defend the indefensible. Indeed, during my first years in Britain, I was almost convinced. It is the more subtle justifications that are so seductive: of course (the sophisticated engagingly admit) the idea of inheriting privilege, enormous wealth and political influence is, by modern political standards, repugnant. But go beyond such simplistic judgments, they urge, and think what the alternatives are.

The Queen "embodies" the law and that, they argue mystically, raises civil order above the fray of party politics. The monarch's ceremonial function protects us from the invidious foreign tendency to idolise political leaders. Most persuasively for an ex-American repelled by materialism, they claim that hereditary nobility ensures that wealth is not the only measure of status.

That perennial sixth form debating topic "Does monarchy serve any purpose in a democracy?" is generally dusted off by the media at every royal anniversary. But the current round,

marking the Queen's 40th year on the throne, is notably less anodyne than usual. Never have the critics' arguments seemed more confident. Doubts are being expressed in important quarters not about whether the throne should survive into another generation, but whether it can.

The fashionable theory is that the younger royals are dragging the whole thing into disrepute. The Queen looks more and more like a venerable headmistress who has lost control of the lower fourth; the press are turning the whole thing into a shaming circus, and a country in recession resents subsidising a tax-free frivolous lifestyle. All of which is true, but not the whole story. What this new cynicism suggests is that the country may finally be growing tired of the deception with which it has gone along for so many years.

What royalty stands for, more than historical tradition, more than the rule of law or any other time-honoured hokum, is the sacred principle that what you are is more important than what you do. At hundreds of ceremonial dinners and lunches, award presentations and commemorative celebrations, countless citizens who have achieved endless varieties of accomplishment are "honoured" by the presence of inconsequential persons who condescend to offer their gracious approval. Hands are shaken, prizes are given and congratulations are murmured by people whom we often know to be frivolous.

Anyone who has sat through an embarrassing, incoherent and amateurish speech by a young royal personage and then listened to the gush of reverent gratitude that followed it, will know what it means to be in the presence of a Big Lie. Which brings us back to the question of what exactly we are idealising — apart from hypocrisy — when we venerate royalty. If someone who has accomplished nothing takes precedence, by virtue of birth or marriage, over the finest artists and scholars, not to mention the most morally courageous and honourable private individuals, what does this say about how we value achievement? True, we escape the dangers which go along with glorifying politicians, but what do we glorify instead? Vacuity? Unearned prestige?

But there is an even more significant lesson in this pantomime: if respect is due to people because of their position at birth, then the obverse must also be true. We would have less difficulty persuading working-class children to take an interest in education if it were not for the apathy and intimidation bred in them by contempt for their origins. Is it really one of

the virtuous fixities of British life that nothing you do or know or have can exempt you from the grovelling which is required by royalty? We are assured that this protects us from a society dominated by money-grubbing vulgarity, as if the only choice were between the Queen and Ivana Trump. But America's obsession with ostentatious wealth doesn't arise simply from the absence of royalty. The United States worships money because the only common thread among its ethnic multitudes is the desire for material well-being. Its history is a quite simple (and short) story of devotion to entrepreneurial capitalism. Britain without a monarchy would be much more likely to resemble European republics such as France, which has not found a crowned monarch necessary to maintain its culture and civilised values.

Indeed, the connection between the present royal family and the survival of culture seems pretty tenuous. Their unapologetic preference for philistine upper-class amusements and middle-brow entertainment deprives them of what could have been a more attractive role.

The Prince of Wales does, of course, take a serious interest in architectural heritage and education. Many of us with tastes and sympathies similar to his have had cause to be grateful for his disproporionate influence. In this respect, he personifies the romantic myth of modern royalists, who see the monarch as having a direct spiritual link with "the people". The Prince's remarks often do express the sentiments of ordinary people and because of his position these remarks are taken seriously which is all to the good. But why should the views of ordinary people only be taken seriously when a prince articulates them? What we need is not a high-brow mouthpiece, but a more confident and articulate populace. And for that we need to plough wholeheartedly into democracy.

## Roger Boyes hunts the men behind the poisoned umbrella murder

The Bulgarian general Stoyan Savov, his reputation in tatters, reportedly took a Colt out of his leather holster and shot himself earlier this month; but was it suicide or murder? His death adds to the mystery in the murder of Georgi Markov, a Bulgarian dissident, at a London bus stop more than 13 years ago.

"A noble death," said a middle-aged woman, walking around Lesichevo village cemetery outside Sofia a few days later. "He should be left in peace." Many Bulgarian socialists, the regrouped communist rump, would like to do precisely that. For General Savov's death in his home village of Lesichevo is directly linked to the murder of Mr Markov, which remains a riddle even in this post cold war era of unemployed spies.

Markov, who was killed in London by a poisoned pellet fired from an adapted umbrella-gun, was much more than the victim of a bizarre assassination. He was a clever playwright and a witty commentator on the BBC Bulgarian service, rarely missing his target in his attacks on the then communist chief, Todor Zhivkov. He also taught Bulgarians to mock their leaders.

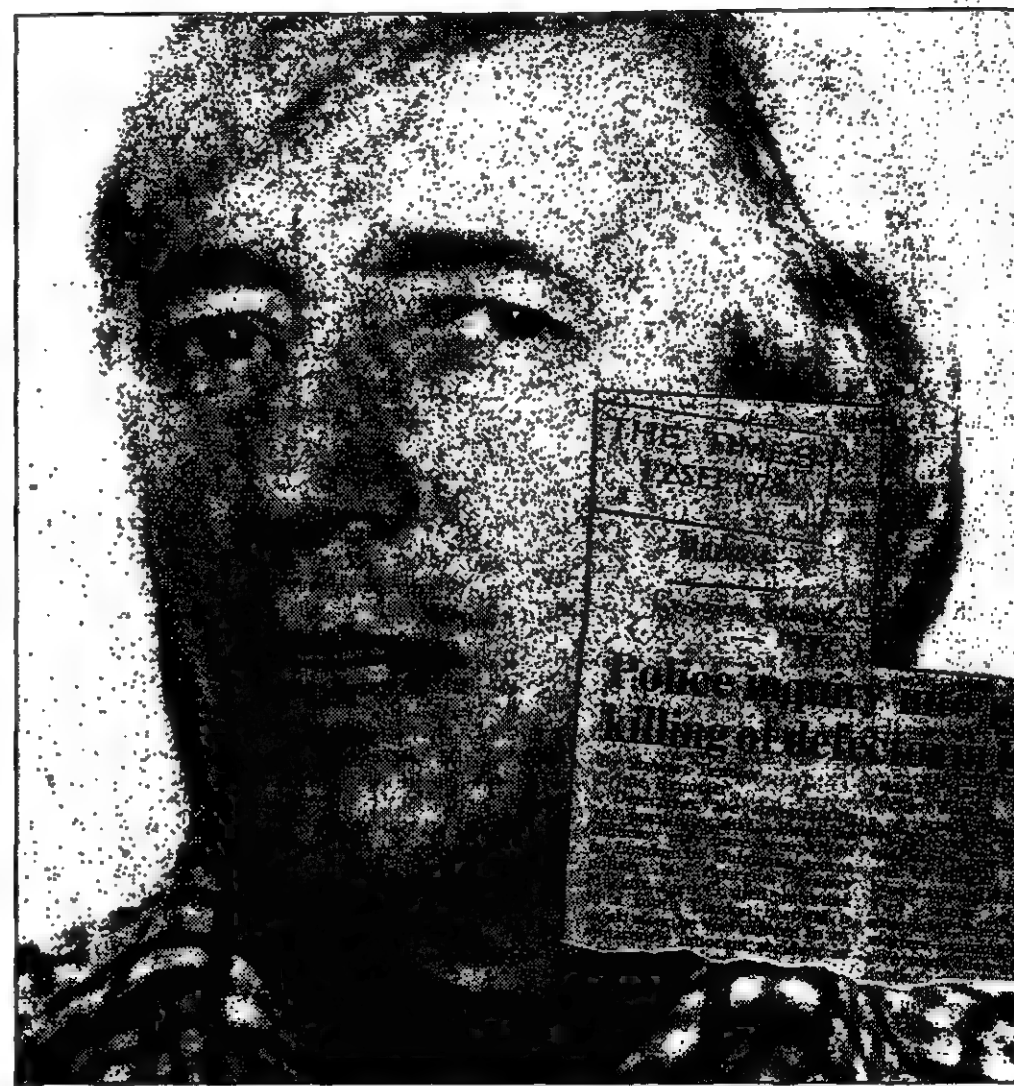
Since October 1990, investigators have been busy trying to prove that Sofia carried out the murder and that the KGB had a hand in it, besides attempting to find the guilty person. However, witnesses have been disappearing, and prosecutors too, as they are discovered to be agents or friends of agents. But for a year, General Leonid Katsamunski, the chief investigator, has been running up against political obstacles. The former communist is still a powerful force in Bulgaria: that much was obvious last weekend's presidential election. The lawyer Vello Valkanov, backed by an unholy alliance of communists and nationalists, managed to

come only 7 per cent behind President Zhelev's winning 53 per cent. Mr Zhivkov's brand of feudal communism is proving to be the most enduring in Eastern Europe.

Despite democratisation, many interior ministry staff are still intimately connected with the old communist establishment, and the result has been much foot-dragging in the investigation. For a while, it seemed as if the easiest case to resolve would be the Markov murder. But the file on the case has disappeared from the secret police headquarters and has probably been destroyed. Lawyers believe that the dossier contained one of the few existing documents implicating the KGB in the murder.

Who destroyed or disposed of the file? The investigators claim that it was General Savov, in league with General Vladimir Todorov, the former chief of the secret police. Last May, General Todorov slipped away to Moscow, perhaps with the Markov file or key elements of it. He was arrested on his return in November, and last week his trial began in a military court.

The day before the trial opened, General Savov was found dead in the graveyard of Lesichevo, about 90 minutes' drive from Sofia. General Todorov, who is facing only the relatively minor charge of "destroying official records", can now simply blame his dead superior General Savov, who was a deputy interior minister. And that, as one former communist politician said on television the other day, will be "the last drop in the cup of the Markov affair". One does not need the skills of a Hercule Poirot to see that a number of people had motives for pulling the trigger of General Savov's Colt. Suicide was an honourable tradition in Bulgaria's pre-war officer corps, but the general did not belong to that tradition. He was a



After 13 years, the truth behind the Aldwych attack on Markov is starting to emerge

communist policeman, a breed not renowned for acknowledging error. His "suicide note", too, was strangely phrased, like an office memorandum. It condemned the "changes in Bulgaria" and made no personal references. And the size of the suicide — in front of an ugly monument to the cemetery commemorating wartime partisans — was a trifle theatrical for a man not given to flamboyance. To many Bulgarians, his death smelt of foul play. Yordan Sokolov, the present interior minister and a former

human rights lawyer, is inclined, however, to accept the suicide at face value. "That is what the evidence suggests," he says. "We know he was contemplating suicide already last year." However, the minister will not abandon the Markov case, even if General Todorov wriggles off the hook. The report of the investigator, General Katsamunski, is almost ready (more than 200 secret agents including 47 generals have been interviewed) and Mr Sokolov will then have considerable ammunition to hand. Scotland

Yard, too, has helped out, finally releasing the full Markov autopsy report, providing Sofia with technical material. Several people involved in the Markov mystery, each with a slightly different degree of responsibility, have been identified. Of all the Politburo members, Mr Zhivkov, the party chief, certainly knew the most about the assassination. Whether he still remembers the details is not at all certain in public, he rambles and gives every sign of being close to senility. Georgi Markov was killed on Mr Zhiv-

kov's birthday: a present for the master. Yet Mr Zhivkov is currently facing trial only for corruption. At his court appearance last week the 80-year-old retired tyrant bellowed: "How can you imagine that I, Todor Zhivkov, would hand out cars to his colleagues?" There seems little chance that he will ever be in the dock for more serious charges.

The identity of the agents who fired the umbrella-gun is now almost certain. He is said to live in Sofia on an interior ministry pension. The investigators, too, are confident of identifying the operational commanders within the secret police.

General Katsamunski is said to have incited the minutes of a Politburo meeting which appears to have sanctioned the action against Markov and other emigrants. There also appears to be sufficient evidence to identify the then government minister, who approached Moscow for help in killing Markov.

The investigators also hold out the hope that Oleg Kalganov, a former KGB general who is due in Sofia soon, will elaborate upon the Soviet connection. According to General Kalganov, it was

Vladimir Kryuchkov — the disgraced KGB chief who has been charged with taking part in last August's coup against Mikhail Gorbachev — who agreed to the Bulgarian request for "technical assistance" in killing Markov. Oleg Gordievsky, the former KGB spy who defected to Britain, has claimed that the poison pellets were made in the KGB laboratories in Moscow and that the umbrella was ordered from Washington. "This year," said a lawyer who has monitored the Markov case, "will be the year of truth about Georgi." He is, however, not started auspiciously, and may yet end as a year of mysterious suicides.

...and moreover

## CRAIG BROWN



A typical film in a video-shop has the main title must be about cuddly pets and reunited orphans (*Christmas with Spot and Rover*) then, just as you are reaching for it, you notice a second title added on after the colon, promising multiple sightings, hideous decapitations, and unexpected things happening with Magix (*Christmas with Spot and Rover: The Bone Striker Back*). There is a new film out called *Freddy's Dead: The Final Nightmare*. It is the last in a series of six films about a serial killer called Freddy Krueger, who is the bastard son of a lunatic nun raped by the inmates of a local asylum. In Burke's Pezage of Horror, such lineage makes Mr Krueger something of an aristocrat in the video nasty world. The Freddy films kicked off with *Nightmare on Elm Street* way back in 1984, and have earned £300 million, yet I have still not managed to get around to seeing any of them. This means that for the past eight years, Freddy Krueger has been on my conscience, like a lawn unmown, or a maiden aunt unvisited, in my mid-teens, one felt duty-bound to visit the latest horror film. In those days, anyone who had not seen *A Clockwork Orange* and *The Exorcist* at least five times was considered a sissy. Alas, *The Exorcist* was Anne of Green Gables compared to what followed, and I finally lost my nerve in 1974, about 25 minutes into *The Texas Chainsaw Massacre*. I

hadn't even seen the chainsaw, let alone the massacre, but I found myself so dreading seeing either that I crept out of the cinema, never to return.

"Have you seen *The Texas Chainsaw Massacre* yet?" my friends would ask. "Yes," I would reply, "brilliant." Though I have been a lapsed horror-watcher for many years, I still feel guilty as I scour the shelves of a video shop for a gentle film. "Do you have any films without murders?" I asked the owner of my local video-shop the other day. "You mean art films?" he replied with a sneer, as if I had just asked him for a manicure and blue-rinse. Just to prove I was no nambypamby, I reached for *Aliens*, a film in which people find themselves inhabited by monsters who pop out of their stomachs at inconvenient moments. I managed about 40 minutes of it before I could go no further. However, I remembered to wind the video on to the end, so that the man in the video store has not yet twigged what a sissy I am.

Since the mid-1970s, so many films have featured scenes of eyes being poked out, heads being placed in toasted sandwich machines and so on, that critics have begun to accept 30 or so violent deaths per movie as about the norm, even if the film happens to be set in the Chelsea Flower Show. A film with only 15 murders and a couple of legs blown off will be described by critics as "restrained and quietly lyrical," a film in which the serial killer

giggles or wears a mask will be described as "refreshingly witty" and a film with murderers mass-murdering other murderers in revenge for previous murders will be hailed as "a complex, deeply moral indictment of 20th-century violence in all its forms".

In this column two or three weeks ago, I wrote a list of spoof predictions for the coming year. Film director Michael Winner's first excursion into children's entertainment with a new version of *Thomas the Tank Engine* faces a rough ride from the critics. "I wrote, 'They complain that nowhere in the original did the Reverend Awdry suggest that Thomas was permanently armed with a Colt 45, an anti-tank bazooka and a selection of infra-red homing devices... Winner demands a more considered reaction to his next movie, a reworking of a Disney children's classic, *101 Dalmatians*, is to open in July."

As so often happens, reality overtook even the silliest joke. I have just read that Martin Scorsese, director of *Taxi Driver* and *GoodFellas*, is now filming *Edith Wharton's The Age of Innocence*. Presumably, Scorsese will subtly alter the storyline so that the simple May — now a man, played by Robert De Niro — wishing to stop the marriage of the sophisticated Ellen, gently, almost lyrically, hires a hit-squad to blow her brains out. But which of us will be able to pluck up courage to watch *The Age of Innocence*? Experience Strikes Back?

## Clementine — or a lemon?

ALMOST as Peter Brooke was apologising to MPs yesterday for his rendition of the popular ditty "Oh my darling Clementine" on Irish television, Channel 4 was conveniently staging a repeat of the offending show for MPs who had missed it. As Brooke sat down at Westminster, the chamber emptied as MPs rushed to find a set to watch the weekly 5pm edited highlights of RTE's *Late Late Show* and to catch the full exchange between the secretary of state and the Irish chat-show host Gay Byrne for the first time in mainland Britain.

Many Tory MPs had hoped the song would be left on the cutting-room floor as Channel 4 reduced the two-hour programme to 60 minutes for its Monday broadcast of the programme's highlights. But Channel 4 knows when it has a scoop on its hands, and arguments on the grounds of taste or political embarrassment were not going to persuade it to drop Brooke's public debut as a singer. "I can confirm we did think about cutting it from the programme," says a Channel 4 spokesman. "But we could think of no good reason to edit it out."

The Northern Ireland Office says it resisted the temptation to request demerol. "It was a matter for Channel 4 to decide on the grounds of taste whether it wanted to show the film or not. We could not intervene."



In reply to the *Diary's* revelation that *Concert Garden* programmes still list the companies of Gerald Ronson and Robert Maxwell as sponsors, Jeremy Isaacs, director of the Royal Opera House, writes to say: "We remain most grateful to Gerald Ronson for his sponsorship of *Nutcracker* and delighted at his and his wife Gail's continuing support and devoted work on our behalf." No mention of Maxwell, however — or that the House was also on the point of a large sponsorship deal with Polly Peck before Asil Nadir ran into a little difficulty.

## Globetrotters

CALL it fate, but the draw for the European qualifying round of the Olympic basketball championship yesterday could hardly have thrown together stranger opponents. The International Basketball federation (FIBA) admitted Slovenia to the competition only on Sunday, but within 24 hours the new nation had been drawn in the same group as the reigning world champions: Yugoslavia.

At the same time the Commonwealth of Independent States (CIS), which includes 11 of the former Soviet republics, was drawn in the same group as Lithuania and Estonia. "Nobody knows

what kind of teams the Baltic states and CIS will come up with," says Boris Stankovic, the Yugoslav-born head of FIBA. Yugoslavia should see off the Slovenes, but most agree that the Croatians are among the favourites. "Unpleasant but interesting," is how the Estonian coach, Janos Levkol, described the draw against the CIS. "But I don't see a political contest. It's pure sports." If so, Olympic competition is not what it used to be.

## Gentlemen of honour

THE web of City scandal grows daily, but one pillar of the financial establishment remains solidly dependable. No one could imagine the royal bankers Coutts & Co, currently celebrating their 300th anniversary, being connected, however remotely, with any impropriety. Yet it was not always so, according to Edna Healey, wife of the former Chancellor and author of a history of the bank to be published next month. Coutts was almost the BCCI of the 18th century. "The head of the bank, George Middleton, became involved in scandals very like

the junk-bond malpractices of the 1980s, including the South Sea Bubble and the Mississippi Madness scheme. The bank even closed for a couple of years as a result."

## Book baggage

TONIGHT'S Whitbread prize judges are an impressive lot, including not only professional bookmen but Michael Howard, the employment secretary, and the BBC's John Cole.

A busy man of affairs who was asked to judge a previous literary prize was once asked how he found the time. "It is easy. One page is enough to tell you most of the books are unreadable." This year's judges are more conscientious. Cole says: "I took the books on holiday to the Canaries." Howard's office says he spent weeks on the task. "He read them with his wife as he travelled to the party conference last autumn. He also read a lot during a break in Madeira over Christmas."

Howard is also said to have picked the best brains in his department, operating a circulating library of the shortlisted titles. The judges will give no hints about their own votes, but the book-makers' favourite is Gordon Burn's *Alma Cogan*.

British Asians are reportedly upset by the film *Mississippi Masala*, which goes on release this week, for its depiction of an Indian girl making love to a black man. Indian restaurants seem not to share such qualms, and one major London Indian restaurant has created a special dish bearing the film's name. It is an exotic concoction which combines "the traditional and exotic spices of India with strong influences of the American deep south." Those sampling its delights also receive a £1 voucher off admission to the film.





## POLITICS AGAINST MURDER

Sectarian murder in Northern Ireland can be defeated only by politics, not by the gun. Nothing demonstrates the exhaustion of British policy so much as the insistence of ministers that direct rule cannot be ended "until the men of violence are defeated". Year in, year out visitors to Belfast are briefed that "we are at last beginning to crack the IRA". Year in, year out the lie is given to this on the streets, in the graveyards, on the nightly news bulletins. This week ministers responded to another bout of murderous violence by mimicking Lord Haig and sending more men. Though this will boost the pride of the IRA, the troops are apparently needed to "show the people of Northern Ireland we are doing something".

Peter Brooke, in his Commons statement today, gave another valiant portrayal of a colonial governor offering to fall on his sword for some misdemeanour in his impossible job. He survives for the moment. But gone are the pretences of the 1970s and 1980s, of determined rolling devolution. Gone is any sign that Ulster's administration from London is anything but permanent.

The province has one of the most disastrous political economies in Western Europe, despite its skilled workforce and enchanting environment. A population largely dependent on state subvention from Britain is embattled by two opposing forces: a pervasive security establishment and a plague of paramilitary gangs, many with their fingers in the same subsidy till. Holding some sort of ring are two British ministers sent out from Westminster to brown their knees.

Virtually every interest group in Northern Ireland has a powerful reason for the existing bloody equilibrium to continue, except the ordinary citizens. They have been stripped of provincial and most local government. Those who purport to speak for them, their Westminster MPs, have no collective responsibility for any policy or programme relating to the province. They are literally irresponsible. They use each outrage to rail against British ministers and demand ever more draconian measures against their sectarian foes.

The latest cry from the Unionists is for intervention without trial, a policy so counterproductive that even ministers desperate to

"do something" are rightly reluctant to use it. No progress towards law and order, peace and prosperity in Northern Ireland will be made until the province can find leaders committed to the principle that the pursuit of devolution must take precedence over sectarian point-scoring. No such leaders will emerge as long as British direct rule persists. Direct rule puts a premium on the election by the Unionist community of MPs who vie with each other in intransigence. The imminent Westminster election offers little hope of this changing. But ministers should indicate that MPs elected this year must shoulder that responsibility, under a solution to be imposed if not negotiated.

It was because they preferred the status quo that both sides, but principally the Unionists, wrecked last year's "Brooke initiative". But during those fraught weeks Mr Brooke did succeed in extracting from Unionist and SDLP spokesmen a wide measure of agreement on constitutional reform, including the prospect of some power sharing. All those taking part expressed surprise at the extent of the agreement. Mr Brooke abandoned the initiative before its full extent was explored.

He is now well placed, perhaps in his grand final gesture as Northern Ireland secretary, to demand of the cabinet that it use such common ground as he identified last year as the basis of an "imposed solution" after the election. The restoration of "government" for the governed, by the governed, must be the basis of British policy in Northern Ireland, wholly without regard to the security position. The acceptance of subsidiarity is as crucial to the sustenance of democracy in Northern Ireland as in the United Kingdom as a whole. Local government is not a leisure pursuit in a peaceable society. It is the only route to community stability.

The parties in Northern Ireland should be given one more effort to consent to a plan of devolution. But they should be made to understand that in the absence of that consent a solution (ideally agreed by both sides at Westminster) will be imposed. Legislation would follow, then elections, then the ineluctable transfer of powers back across the water to whatever new democratic institutions are created. There is no other way.

## A HIGHER LAW

After 40 years of totalitarian rule in East Germany a reckoning has to be made with its past. The big fish of a wicked regime must be punished for their murders and other crimes, just as at Nuremberg there had to be some atonement for the monstrous crimes of the Nazis, however flawed the verdicts were and however odious some of the Soviet prosecutors. But it is right to punish the small fry, the thousands of petty informers who betrayed their colleagues or the many minor functionaries of state who were "only obeying orders" when they did their political masters' bidding?

Yesterday the Berlin Superior Court gave its answer when it convicted two guards, ordinary conscripts both, for the shooting of a 20-year-old East Berlin waiter who had tried to escape over the Berlin Wall in February 1989. Defence lawyers argued that guards should not have been prosecuted for obeying the laws of the East German state, which demanded that would-be defectors should be shot. West German law, imposed after reunification, was made to work retrospectively. Was this justice?

The answer, with many a qualification, is yes. The proper way to resolve these dilemmas is to go back to moral basics, as the allies did at Nuremberg. Whatever the state of domestic law at the time, a higher moral law was invoked at Nuremberg and the Berlin Court invoked the same. Judge Theodor Seidel pointed out that the shots fired by the accused guards were meant to kill, while many of their colleagues obeyed a different, moral, law and aimed to miss. Herr Seidel declared that East Germany's border law did not exempt anyone from the moral duty to protect human life. "Such a law did not earn obedience. Obedience should have been rejected," he said.

Yet this judgment was tempered with mercy in the mildness of the sentences. Three

and a half years is little to pay for the taking of a human life. The efforts of the German legal authorities to bring to justice the communist leadership, whose orders the guards were obeying, should now be redoubled. The wish of many nervous parties that the former East German leader, Erich Honecker, will be left to die cowering in his Chilean embassy in Moscow, should be disregarded. Honecker's wife, Margot (also his long-serving education minister), whose persecution of dissidents extended to abducting their children into "state care", should also be pursued with all the might of the democratic German state.

But how far down should legal responsibility be extended? The East German regime impelled countless others into informing on their fellows by blackmail as well as by bribery, thus leading to their incarceration or death. Few in the safety of the democratic West can say for sure how bravely they would have behaved if their careers were to suffer by nonconformity, if their children were threatened with deprivation or dismissal from school. As Nuremberg debated at length, degrees of guilt must be related to degrees of responsibility, as must degrees of punishment.

At least Germany has recourse to an existing legal system to judge these questions. The former captive nations of the Soviet empire are forced to build a new legal structure on the framework of communist law as the only one in existence. An independent judiciary and a depoliticised legal profession have to be established before individual political crimes can be prosecuted. That will take time. But prosecutions there must be if East Europe's revolutions are not to degenerate into backstreet kangaroo courts and extrajudicial vendettas. A mature society must come to terms with its recent past, even if that means passing judgment on itself.

## MUSICAL DISCORD

The *divertimento furioso e capriccioso* over the music for the Queen's 40th anniversary pageant is a storm in a castanet. But it declares a paradox about the state of the art in the United Kingdom.

The pageant at Ears Court in October is designed to celebrate the music of the Queen's reign so far. It will feature pieces by Andrew Lloyd Webber, the Beatles and Cliff Richard, and pieces of not so pop by Benjamin Britten, Ralph Vaughan Williams and Michael Tippett. The Master of the Queen's Music is scornful of the programme. According to Malcolm Williamson, "a concrete mixer is a lot more creative than Lloyd Webber's musicals".

There is no rule that Masters of the Queen's Music must be either prolific or popular composers. The holders of the office over the past four centuries are not names to draw queues outside the Festival Hall: Nicholas Lanier, Louis Grabu, Christian Krammer, François (Franz) Cramer. ... There is no rule that members of the royal family must be musical, though some have been. George I may have hated all Beets and Bainters, but he commissioned Handel to compose his Water Music for a similar pageant to the one at Ears Court. Even half a Handel would improve the Ears Court pageant enormously. Henry VIII is said to have composed madrigals that would go sweetly into a sugary musical by Andrew Lloyd Webber — and may have already done so. The present royal family, with the

exception of the Prince of Wales, shows little taste for serious modern music.

The English may be bad at tennis, but they are true musical aficionados. According to Sir Thomas Beecham: "They may not understand it, but they absolutely love the noise it makes." The trouble is that they love different noises. There are at least three musical cultures in Britain, with a great gulf between them. There is the severe cult of contemporary music, with its serialism and atonalism beloved of the music academies, Radio 3 and not many others. There is a much larger band of enthusiasts for "classical" music, shown by the popularity of classical opera and Pavarotti in the park, the sales of recordings of Mozart and Beethoven and their epigoni. And there is a huge youthful audience for pop and rock music in its various ephemeral manifestations, a genre at which the British excel.

A century ago, the modern movement drove a great rift into culture, from literature and painting to the theatre and architecture. Post-modern art has become more complex and ambivalent, to suit the uncertainties of the age. The rift was particularly wide in music. The days when street traders and building-site workmen whistled the latest tune from Mozart or Puccini are gone. They are playing very different tunes on their portable cassette players. It is not possible to argue about musical tastes. But "contemporary" music should never have divorced itself so claquishly from a mass audience.

## Government role and human rights

From Colonel J. R. P. Montgomery  
Sir, On May 5, 1984, you printed a letter from me on "Legions for export". It quoted a *Daily Mirror* report of November 25, 1983, that a (named) Birmingham firm had just exported 8,000 leg-irons to customers including governments in Africa, the Middle East and Latin America. The report added that the firm's representative had said that, whether exports were banned or not, his firm would continue to export its products.

The undertaking given on March 28, 1984, by the minister responsible, Mr Norman Tebbit, in response to a parliamentary question may in hindsight be seen as ambiguous. It was that leg-irons would not be issued for export of irons for the restraint of prisoners. For other purposes such as theatrical performances applications would be considered on their merits.

Evidently those who market such devices as the "House of Fun" electronic torture chamber described in your report (January 15) on the export of instruments of torture have understood that a nod is as good as a wink from HMG.

The government is not obliged to disclose information on this subject. The use of chains or irons either for restraint or as punishment is expressly forbidden under any circumstances by article 33 of the United Nations standard minimum rules for the treatment of prisoners. There can be no justification for permitting in the United Kingdom the manufacture, let alone the export, of such irons on whatever pretext.

Yours faithfully,  
PATRICK MONTGOMERY,  
The Oast House,  
Framfield Road, Suxted, Sussex.

From the Director of the Refugee Council and others

Sir, Refugees, in fleeing from persecution and torture, are entitled to safety and justice. The Asylum Bill, being debated on January 21 in Parliament, has understandably aroused widespread disquiet that this country will no longer offer a safe haven. Three points need to be made:

1. Asylum-seekers will have no right of appeal, merely a right to apply for leave to appeal to be exercised within impossibly tight time limits (within two days of the Home Office posting a refusal decision).

This is a grave limitation on access to justice. Asylum-seekers will become the only group placed outside the existing immigration appeals system. This is surely counter to all notions of natural justice.

2. The Bill fails completely to address the best interests of unaccompanied children, often the object of violence and persecution in their own country.

3. Clause 3 of the Bill represents the first attempt to remove the housing rights of a specific group of homeless people. It "modifies the duties of housing authorities under the homelessness legislation in relation to asylum-seekers while a decision on their asylum claim is pending".

It will inhibit the provision of emergency shelter to refugee families because such offers may remove the right to local authority housing, leaving some families literally on the street.

If the government is genuine in its commitment to refugees, it cannot introduce measures which so compromise its obligations under the 1951 convention relating to the status of refugees.

Yours faithfully,  
ALF DUBS,  
Director, Refugee Council,  
DAVID BOYD  
(Children's Legal Centre),  
ANNE OWERS  
(Joint Council for the Welfare of Immigrants),  
SHEILA MCKECHNIE  
(Sheila),  
BOB WIDDOWSON  
(SHAC),  
ORIOLE GOLDSMITH  
(Save the Children Fund),  
HELEN BAMBER  
(Medical Foundation for Victims of Torture),  
LOUISE PIROUET  
(Charter '87),  
The Refugee Council,  
3 Bondway, SW8,  
January 20.

## Medical lampoon

From Mr David Le Vay  
Sir, In his excellent account (January 10) of the current exhibition on "The Art of Death" at the Victoria and Albert Museum, Richard Cork has obviously taken the title of Hogarth's *The Company of Undertakers* literally. Hogarth was, in fact, lampooning the Fellows of the Royal College of Physicians, who are caricatured bearded and holding their gold-headed canes.

What is of particular interest to me, as an orthopaedic surgeon, is that he added insult to this verbal injury by portraying, in the centre of the back row, a female figure holding a bone who was no less than the famously successful contemporary bonester, Mr Mapp, attendant on George IV's wife, deposed by the doctors just because she was so successful in a field where they were notoriously incompetent.

Yours faithfully,  
DAVID LE VAY,  
6 Garstons, High Street,  
Barnsley, East Sussex.  
January 13.

## Gallery restriction

From Mrs Irene Rooney  
Sir, Huroah for Antonia Byatt's criticism of the Tate Gallery for ending private viewings on Sunday mornings for Friends of the gallery (Diary, January 13). My husband and I are now cancelling our Friends' membership as Sunday is the only day we can drive to London in comfort and park easily.

Surely if the Tate advertised more, and told people about Sunday mornings, more people would join. I don't think many of us would object to paying, say £1, each time we visit.

Now they will certainly lose a lot of members; therefore won't they be worse off?

Yours faithfully,  
I. ROONEY,  
19 Burgh Wood, Banstead, Surrey.  
January 13.

## Art export controls

From Mr David Newman  
Sir, Mr Robert Hamilton's letter (January 14) on art export controls and his dubious premise about public interest require a response. His comment that "what matters is that the objects stay here" is not only academic arrogance but willfully inconsiderate to the owners of such works of art.

May I remind him that they were not created for the benefit of institutions or the state but for individuals and families, and as such are their property.

The point which is paramount is that the works of art are cared for, and a little less obsession as to their residence, now or in the future, would be helpful.

Yours faithfully,  
DAVID NEWMAN,  
PO Box 420, London, W1A 4ZU.  
January 14.

Business letters, page 23

Letters to the editor should carry a daytime telephone number. They may be sent to a fax number — (071) 782 5046.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

## Community concern for the elderly

From the Director of Social Services, Newcastle upon Tyne

Sir, On January 5 I visited the County Hotel, Rothbury, a respite care "holiday" home run by my department which for years has offered sensitive, skilled, respite care for elderly people living alone or with relatives. I saw 20 people, whose average age was about 90, some of whom were in wheelchairs, some suffering various stages of Alzheimer's disease and all were distressed because the "County" was closing the next day.

It closed not because it was not needed by them nor because it could not be afforded — many of these people will end up in much more expensive hospital care — but because it was "above average". It has been a part of the local service provided in Newcastle for the elderly which has been nationally recognised for its excellence and innovative quality.

The "County" is not the only home to close; two other respite care "hotels" have gone, six old peoples' homes in two years, the Home Care Service has been seriously cut back, and day care reduced.

So many of these elderly people ask why? And I wonder why.

When Mr Heseltine announced his consultative paper on the standard spending assessments for 1992-3 (report, November 27) he said "efficient" local authorities could keep within or even below the average community charge. The SSA is a device for sharing the money allocated, not a true measurement of need, and Newcastle is spending above the SSA and therefore well above average to provide its excellent social services.

Yet the people who receive them, their family carers, and many people in this city believe they are not extensive enough. These savage cuts have to be made to reduce the service to be nearer the average and avoid the secretary of state capping the expenditure.

Is this the efficiency the government seeks? Whilst I am deeply disturbed by what is happening, that is of no consequence compared to the pain and bemusement felt by the elderly and their carers at the

illogical reduction of services to satisfy a financial formula devised by a government 300 miles away.

Yours faithfully,  
BRIAN ROYCROFT,  
Director of Social Services,  
Newcastle upon Tyne,  
Civic Centre,  
Newcastle upon Tyne,  
January 15.

From the Director of the National Association of Health Authorities and Trusts

Sir, Counsel and Care's report, *What if they hurt themselves* (details, January 15), paints a disturbing picture of restraint of elderly people in some residential and nursing homes. However, its emotive language, such as "pindown" and "prisons in suburbia", does not reflect the position in the vast majority of nursing homes.

Health authorities, by law, inspect nursing homes in the private sector — they have no access to local authority homes, to which the report by Counsel and Care also refers. Their inspectors have a good record in the elimination of "cowboy" carers as the tribunal reports demonstrate. It is unfortunate if the anecdotes providing the basis of this report were not drawn to the local health authorities' attention at the time that they were identified.

Whilst the law relating to care in the private sector is a weak vehicle for the demands now placed upon it, every health authority is in a position to, and will, respond immediately to complaint about standards of care in a nursing home.

As we move to emphasis on care in the community, schemes of accreditation in both the public and private sector must match those of other service industries. Many such schemes are now in place and to stigmatised all homes on the basis of non-justifiable reports does less than justice to the valuable work of many health authorities.

Yours faithfully,  
PHILIP HUNT, Director,  
National Association of Health Authorities and Trusts,  
Birmingham Research Park,  
Vincent Drive, Birmingham 15.

## Public worship

From the Reverend Tony Ward

Sir, In concentrating on the heritage of "common prayer" (letters, January 11), your correspondents on the theme of "liturgical anarchy" seem to have overlooked one of the great strengths of Anglicanism. We all live in a geographically defined parish, and the local community of faith has a specific area within which to carry out the mission of the Church.

The parish I serve borders central Norwich, with many features of urban deprivation. We must offer worship that is accessible and relevant to our community, essentially a "non-book" culture, where most people read the tabloid press. With only the Book of Common Prayer to offer we would have disappeared long ago. The Alternative Service Book made a solid start to the process of liturgical revision, but we are still a long way from having an authorised Anglican liturgy which feels comfortable for this parish.

Perhaps outbreaks of liturgical anarchy are expressions of frustration with the inappropriateness of what is currently available.

Yours sincerely,  
TONY WARD,  
St Paul's Vicarage,  
Mill Lane, Norwich, Norfolk.

From Dr Peter Willis

Sir, Lord Deromere (letter, January 3) has a point when he writes of the problems of using the Alternative Service Book. It has been well said that whereas followers of other religions spend their time trying to find God, many Anglicans spend theirs trying to find the page.

Yours etc.,  
PETER WILLIS,  
5 Fenwick Close, Jesmond,  
Newcastle upon Tyne.

## Coining clichés

From Mr Anthony Carter

Sir, Mr Belfield asked (letter, January 14) why there are no "drugs ears". Surely a "drugs baron" is a modern descendant of the medieval "robber baron", although with one or two exceptions not a member of the peerage. In the Far East "drugs barons" with a large enough armed retinue to prey on their neighbours, become "war lords" not "war dukes".

Yours faithfully,  
ANTHONY CARTER,  
Church Cottage, Morton Hall,  
Morton-on-the-Hill,  
Norwich, Norfolk.  
January 14.

From Mr Wynne Weston-Davies

Sir, Unlike criminals involved in drug dealing, who qualify for only the single ranking of "drug barons", models come in two grades: "top" and "topless".

Yours sincerely,  
WYNNE WESTON-DAVIES,  
12 Fitzwilliam Road, SW4.

From Mr Frank S. Vine

Sir, Why do rivers "burst their banks" and never overflow?

Yours faithfully,  
FRANK S. VINE,  
Springside, High Street,  
Saltford, Bristol, Avon.

sound way. Experience shows that it has not been in the past and is unlikely to be in the future unless the presumption that the countryside is intrinsically valuable is reflected in structure plans which provide a framework for planning decisions.

Less intensive farming is only less efficient if maximum food production is its sole purpose. In most parts of the country that objective is no longer viable, and must be replaced by a determined policy which integrates conservation with agricultural practice in a way which enables the farmer to continue to earn a living.

That is the aim of the National Trust in its relationship with its 1,200 or so tenant farmers.

Yours faithfully,  
ANGUS STIRLING,  
Director-General,  
National Trust,  
36 Queen Anne's Gate, SW1.

sumes much more fuel than a bus weighing a tenth as much, causing greater pollution. Probably on rural routes a bus would cost less than £2 per vehicle mile, though in some cases the distance would be greater, and service frequency would be higher.

Where there is no profitable freight traffic, it might be possible to use the rail routes for road vehicles.

Yours faithfully,  
A. J. LUCKING,  
20/17 Broad Court, WC2.

## 'Surplus' farmland

From the Director-General of the National Trust

Sir, Mr Woolley's suggestions (letter, January 13) for "sensible controlled development" of farmland ring very hollow without any indication as to how that is to be achieved. Unless development is subordinated to a strong commitment to conservation principles it is bound to lead to further acceleration of piecemeal erosion of the rural landscape.

The government's own Circular No 16/87, issued in May 1987, referred to the continuing need "to protect the countryside for its own sake". This crucial principle should be incorporated in all the planning laws and their implementation.

It is too easy to call for "firm determination" that development is carried out in an environmentally

## Privatising BR

From Mr A. J. Lucking

Sir, In the current debate on privatisation of the railways, little has been said about the escalating need for subsidy of the regional routes, which reached £528.8 million in 1990/91. The average cost per train mile was £9.37, of which about one third was recovered in fares. The average number of passengers on each train was 41, versus 45 three years before, which is a feasible bus load.

A train weighing 80 tons con-



















**Tax trigger, page 5**



**Leslie Weller with the dining table ... and book**

Demand for cruising holidays has been increasing at an average of 15 per cent a year for the past five years and shows no sign of slowing down as cruise operators vie with each other for the booming market.

**MATTHEW PARRIS**

1



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# THE TIMES BUSINESS

TUESDAY JANUARY 21 1992

BUSINESS EDITOR JOHN BELL

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- LAW REPORT 30
- SPORT 32-36

## Lloyd's takes firm stand against two-tier council

BY JONATHAN PRYNN

A ROW over the controversial final chapter of the Rowland task force report into Lloyd's of London, which recommended a separate board to regulate the insurance market, is overshadowing the broad agreement on the report's other proposals.

The proposal was the only part of the report to receive immediate rejection from the ruling Council of Lloyd's. Last week, David Rowland, the chairman of the task force, said he was "sorry and disappointed" that chapter 14 had been thrown out. There has also been strong criticism of the decision from the Association of Lloyd's Members, from Ian Hay Davidson, a

former chief executive of Lloyd's, and from some quarters of the market itself.

The hostile reaction to the chapter 14 decision has upset senior officials at Lloyd's, who had been trying to play down its importance to the report as a whole, which they have welcomed. Alan Lord, due to retire as chief executive of Lloyd's this summer, said yesterday he would have considered resigning if the council had approved the proposals. David Coleridge, the chairman of Lloyd's, said he was "utterly amazed" by the approach of the task force to, and subsequent comment on, the governance issue, and described the chapter as "an add-on".

The chapter recommended a division of

the regulatory and market operating functions of the governing body of Lloyd's. It proposed the creation of two new bodies, a Lloyd's market board with responsibility for overseeing business issues, and a separate, independent regulatory council.

The market board would be comprised mainly of working members of Lloyd's with two senior, respected outsiders, while the regulatory council would have a membership of working names, outside names and nominated non-members of Lloyd's.

Mr Lord said that the council had overwhelmingly supported rejection of the chapter both on grounds of practicality and of principle. A key objection was that the proposals were "retrogressive", and

would return the market authority to the pre-1982 position when the outside names had a very limited role in running Lloyd's.

Another area of concern was that a strict division between the two bodies would destroy the balance between the regulatory and commercial functions of the council. Mr Lord said that the separate regulatory body would be analogous to "our own in-house tax inspectorate". Mr Coleridge said he believed that the comparable division between regulation and market operation at the stock exchange had not worked well.

There would also be a lack of leadership and no single, sovereign body at the top of the market, Mr Lord said. A further objection was that implementation of the

proposed structural changes would delay the introduction of many of the other recommendations, such as the market stop-loss proposal, which the council is committed to at the end of this year.

Mr Coleridge described passages in the report referring to the need for a greater sense of ownership of the governing bodies among practitioners as "absolute hot air".

However, both Mr Lord and Mr Coleridge said they would consider some of the chapter's minor proposals, but said many of them could be introduced without wholesale restructuring. Mr Coleridge saw "no reason" why the recommendation that the size of the council should be reduced, should not be implemented.

### TODAY IN BUSINESS

#### CLUB RULES



Boris Yeltsin might want to join the European clubs, but the looming danger of trade wars should warn him of the rules of the establishments he wishes to join. **Page 23**

#### FORD CUTS

Ford, Britain's biggest carmaker, is to reduce the supply of cut-price cars to daily rental fleets as it tries to recover from losses. **Page 20**

#### SERIOUS



Jürgen Möllemann, economics minister, is taking the threat of German recession seriously. **Page 23**

#### JOBS THREAT

About 1,700 employees will go on short working at Hotpoint, and American Express is making 420 redundant. **Page 21**

#### TRENDSETER



Robert Feld's Resort Hotels managed to buck the gloomy trend with a 27 per cent rise in first-half profits. **Page 21**

## Early recovery hopes dashed by double blow

BY ANATOLE KALETSKY, ECONOMICS EDITOR

DWINDLING hopes of an early economic recovery in Britain were dealt two further blows yesterday with the release of figures showing a decline in retail sales before Christmas and a sharp drop in confidence among financial services firms.

Employment prospects in the financial sector had fallen particularly sharply, to their worst since the recession began, according to the quarterly CBI/Coopers & Lybrand financial services survey.

The official index of retail sales volumes fell 1 per cent in December and was 0.4 per cent below its level the year before, according to the provisional estimate released by the Central Statistical Office.

The gloomy message of the retailing figures was reinforced by the CBI survey of confidence in the financial services sector. The survey, compiled with Coopers & Lybrand Deloitte, showed

that 37 per cent of banks, building societies, insurance companies and other financial firms questioned were less optimistic about the general business situation than three months earlier. Only 10 per cent were more optimistic. The negative balance of 27 per cent contrasted with a positive balance of 22 per cent in the September survey and was the lowest recorded since the worst point of the recession in December 1990.

The survey also showed a negative balance of 4 per cent when firms were asked if they expected their business volumes to rise or fall in the next three months. The September survey had shown a positive balance of 11 per cent.

Employment expectations were even grimmer, with a balance of 46 per cent expecting to cut staffing in the three months ahead. This was the highest negative balance ever recorded in the survey and, according to Coopers & Lybrand, suggested that "the

jobs shakeout in the financial services sector still has a considerable way to go".

Banks and building societies were the most pessimistic business category in the financial sector, according to the survey, and this augured badly for the whole economy, Coopers & Lybrand said. The sharp swing towards pessimism among building societies was particularly striking, since it came after four consecutive surveys showing increasing optimism in this sector. An unprecedented 96 per cent of the building societies questioned said they expected business conditions in their sector to deteriorate in the next three months.

Investment intentions provided the one bright spot. A positive balance of 49 per cent said they would increase investment in information technology, compared with positive balances of 43 per cent in September and 36 per cent in December 1990. However, the overwhelming motivation for new investment was to increase efficiency, rather than to expand. Coopers & Lybrand said the survey "lent credence to fears of a double-dip recession".

City analysts drew the same conclusion from the worse-than-expected retail sales figures, although the retail trade questioned the decline reported by the CSO. The Retail Consortium noted that both the December and November retail sales figures were distorted by statistical quirks connected with the number of trading days covered. November's figure had shown an erratically large increase of 1.3 per cent. The consortium said its own estimates, suggesting no change in sales volumes between December 1990 and December 1991, gave a truer picture.

However, City analysts were sceptical of the Consortium's comment that December "had turned out better than many had expected".

Michael Saunders, UK economist at Salomon Brothers, noted that average sales in the last quarter of 1991 were 0.25 per cent down on the quarter before. He said the retailing figures pointed to a decline in the non-oil gross domestic product in the fourth quarter. This would be the sixth consecutive decline, making the recession the longest on record.



## Ratners halts payout

BY GILLIAN BOWDITCH IN LONDON AND PHILIP ROBINSON IN NEW YORK

RATNERS Group, the jewellery business that has said it will incur a loss of about £72 million for the year to February 1, is withholding the dividend on its preference shares until further notice. Ratners shares fell 11 per cent to 24p.

The group, which previously declared it would not pay a final dividend on ordinary shares, had been keeping the preference dividend under review. Dividend payments on the four classes of preference shares would have totalled £26 million next year, commencing February 2. For the current year, payments will be about £20 million.

A \$50 million tranche of the auction market preferred stock (AMPS) comes up for auction today and will almost certainly fail to find buyers. That would lift the cost of servicing the debt yet again. Ratners was already paying 250 per cent of the commercial paper rate on some of its preference shares.

As the preference share dividends are cumulative, the decision not to pay means that the payments roll up and accrue interest. Ratners is not allowed to pay a dividend on the ordinary shares until it has paid off the rolled-up preference share dividends. Last night, the group said it was not possible to say when it would resume payments.

Non-payment of the preference dividend raises the spectre of Ratners having to

redeem the \$250 million of preference shares at a future date.

The group is in negotiations with more than 20 banks about the possible breach of interest covenants on its loans. Some bankers are believed to have put pressure on Ratners to pass the preference dividend payments. The decision does not affect the payment of the put option on the convertible sub-

ordinated, £58.5 million of which is due for payment in the autumn.

The news brought further downgrades from the two main American credit rating agencies, Standard & Poor's, which downgraded by three notches, from "B" to "C", and Moody's Investors Service, which downgraded by four notches to Caa, one notch above the lowest rating it can give the riskiest junk bond.

THE break-up of the Soviet Union has brought a bonus for Northern Flags, of Leeds. British exporters are stocking up with flags of the new republics ready to host trade visits from businesses there. Sandy Goodall, above, who founded Northern Flags six years ago, has sold about 250 Russian flags, as well as those of Georgia and Latvia. The biggest rise in orders in the last quarter of 1991 was from construction firms. "We were pleased but puzzled. They are having a tough time, but clearly want to get noticed."

## Maples renews banding pledge

BY GRAHAM SEARJEANT, FINANCIAL EDITOR

STERLING surged temporarily against the mark after John Maples, economic secretary to the Treasury, told a foreign exchange conference in London that sterling would eventually enter the narrow band of the European exchange rate mechanism at its central value of DM2.95.

At one point, sterling was up almost 1.8 pence from Friday's close, though it fell back later to DM2.875, for a gain of a quarter of a pence. Although Mr Maples was restating a government commitment made last month by the Chancellor, dealers said the minister's speech removed residual uncertainty.

Mr Maples also said that Britain would try to meet the tests for entry into a single currency, implying that sterling would have to move to the narrow band by 1995.

The mark was not helped by a widening gap between the German government and the Bundesbank over monetary policy. Jürgen Möllemann,

economics minister, said the December rise in German interest rates had hit the world economy. It had created special difficulties for countries whose currencies were linked to the mark.

The Bundesbank justified the rate rise in its monthly report, making clear that it was specifically aimed at wage negotiations.

Sterling continued to benefit from the weakness of the dollar in Tokyo, gaining half a cent to \$1.7915 after topping \$1.8 earlier in the day.

The dollar fell below ¥124, despite regaining most of its early losses both in the Far East and in Europe. The drop was a response to intervention on Friday by the Federal Reserve and the Bank of Japan. This was aimed at stopping the dollar's resurgence against the yen at a time when both governments are trying to cut America's bilateral trade deficit with Japan.

Born agrees, page 23

## Nestlé seeks a bigger splash

BY WOLFGANG MÜNCHAU

NESTLÉ, the Swiss food conglomerate, has launched a £13.5 billion bid for Source Perrier, the mineral water group, in a move that might set the Swiss company on collision course with Italy's powerful Agnelli family, best known for its controlling interest in the Fiat car company. The Agnelli family also holds a majority stake in Exor, which indirectly controls Perrier.

Nestlé, whose president is Helmut Maucher, and Banque Indosuez, the French merchant bank, are offering FF1.475 for each Perrier share, which were suspended yesterday on the news of the bid. Nestlé hopes to build on its current mineral water interests, which include the Evian brand in France and Ashbourne in Britain. At a news conference in Paris,



Maucher: bidding

Nestlé said it would sell Perrier's Volvic brand to BSN, the foods and drinks group, if the bid was successful.

The situation under which Nestlé's bid has arisen bears testimony to the confusion surrounding the regulation of the French securities markets. The bid comes less than

a week after the Conseil des Bourses de Valeurs (CBV), the French market regulator, ruled that Exor and a group of supporting shareholders were required to launch a bid for two thirds of Perrier shares, in order to protect the interests of minority shareholders. The Agnelli had hoped to avoid such a situation and had wanted to control Perrier indirectly by bidding for Exor, which together with Société Générale and Saint Louis, a packaging and paper group, has an interest of just under 50 per cent of the shares in Perrier.

Nestlé, whose ambition to take control of Perrier initially appeared to be thwarted by the Agnelli's bid for Exor, said yesterday that the ruling by the CBV had created a new situation. Nestlé's bid does not represent a straightforward fight for control of Perrier by two foreign com-

panies. Rather, it could force the Agnelli family to withdraw from Perrier or to launch their own bid, as the CBV has been requested. Nestlé, however, appeared certain of victory, as a spokesman said: "We would not be bidding if we did not know that we could pull it off."

A victory by Nestlé would be a blow to expansion plans by the Agnelli family, the largest foreign investor in France. Ifnt, the Luxembourg Agnelli family holding, has already made a FF5.6 billion bid for Exor, which expires on Friday, and a bid for Perrier could prove too expensive, particularly if it has to match Nestlé's generous terms. Other Agnelli interests in France include minority stakes in Saint Louis and BSN, and some automotive and components interests controlled by Fiat.

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### THE POUND

US dollar 1.7982 (+0.0105)  
German mark 2.8640 (+0.0131)  
Exchange index 90.5 (+0.1)  
Bank of England official close (4pm)

### STOCK MARKET

FT 30 share 1971.9 (+5.1)  
FT-SE 100 2544.9 (+8.2)  
New York Dow Jones 3256.04 (-8.94)  
Tokyo Nikkei Avege 20913.82 (-407.55)

### INTEREST RATES

London: Bank Base: 10 1/4%  
3-month Interbank 10 1/4-10 3/4%  
3-month eligible bills 10 1/4-10 3/4%  
US: Prime Rate 6 1/4%  
Federal Funds n/a  
3-month Treasury Bills 3.78-3.78%  
30-year bonds 104 1/4-104 1/2%

### CURRENCIES

London: New York  
£: \$1.7982  
£: DM2.8640  
£: Sfr1.4135  
£: FF9.7438  
£: ¥123.85  
£: ¥123.85  
ECU £0.713317  
ECU £0.713317  
ECU £0.713317  
London forex market close

### GOLD

London Fixing  
Au \$358.50 pm-\$358.75  
close \$358.50-\$359.00 (\$199.80-200.10)  
New York  
Comex \$359.05-\$359.50

### NORTH SEA OIL

Brent (Feb) ... \$18.40 bid (\$18.65)

### RETAIL PRICES

RPI: 157.7 December (1987-100)  
\* Denotes midday trading price.







# Hotpoint and Amex reduce operations

BY MARTIN WALLER

STAFF at two Hotpoint factories in North Wales are to go on short-time working because of the fall in high street sales for the company's washing machines, dishwashers and tumble driers. And American Express is making a further 420 people redundant at its FDR credit card processing operations in Essex, blaming harsh economic conditions.

Hotpoint is jointly owned by GEC and America's General Electric. The two plants are at Llandudno Junction and Bodelwyddan, near Rhyl.

The short-time working, which puts the workforce of 1,700 on a three-day week for two weeks, has been accepted by the main unions.

Ian Stead, Hotpoint's personnel manager, said production at the company's other plant, at Peterborough, which makes refrigerators, was not affected.

After the two weeks, the company will introduce a four-day working week until sales pick up. The measure has been introduced because of "depressed sales against anticipation, especially during January". Mr Stead would not say how much production at the two factories would be cut by or the extent to which Hotpoint missed its sales target.

FDR, which provides a processing service for other card issuers, is implementing the redundancies over the next five months. Another 110 jobs will be transferred between the company's processing sites in Southend and Basildon.

The Banking, Insurance and Finance Union said it planned to lobby local members of parliament to see what steps can be taken to save the jobs. A spokesman said FDR was one of the biggest employers in Southend and Basildon, and almost 600 jobs had now been announced since American Express bought the company last July from four British banks.

FDR announced 215 redundancies last year, later reduced to 166 through redeployment and other measures. It cited four main reasons for the latest round of job losses: the need to operate the company at a staffing level appropriate to the volume of business, the decision of certain clients to take some services in-house, the introduction of new technology and the general economic conditions that have depressed the number of accounts and transactions.

The company said the 420 job losses were the worst scenario, and the number could be reduced by redeployment. John Eifmann, director of personnel, said: "In order to maintain a profitable business and to serve our clients, this programme is our only alternative."



Benefits of concentrating on the middle ground: Robert Feld has set his long-term sights on the European market

## Resort Hotels bucks the leisure gloom

RESORT Hotels, the mid-market hotelier, managed to buck the generally gloomy trend affecting its sector with a 27 per cent advance in first-half profits (Philip Pangalos writes).

Pre-tax profits climbed from £2.31 million to £2.92 million in the six months to end-October, on turnover ahead 25 per cent to £16.2 million.

Three more hotels were added to the group's network, bringing the total to 44 properties nationwide. Robert Feld, managing director, said room rates had "grown slightly", while occupancy rates were maintained at about 65 per cent.

Despite the tough economic environment, Mr Feld said the group had

benefited from its strategy of concentrating on the middle ground, with its smaller hotels in the provinces appealing to both leisure and business markets.

Further "steady" growth is planned when the right opportunities present themselves, with the group's sights set on Europe.

Prospects for the remainder of the year will be influenced to some degree by economic recovery. Earnings per share slip from 4.41p to 3.82p, reflecting a greater number of shares in issue. Gearing stands at about 22 per cent. The interim dividend is maintained at 1.2p. The shares lost 4p to 90p.

## Two Opec members cut output

BY MARTIN WALLER

IRAN and Algeria have joined three fellow-members of the Organisation of Petroleum Exporting Countries (Opec) in announcing symbolic cuts in oil output aimed at boosting prices. The market, however, was unmoved and benchmark March Brent slipped 17 cents to \$18.15 a barrel.

Iran said it would curb output, which in December averaged about 3.35 million barrels per day (bpd), by 1.5 per cent or 50,000 bpd; Algeria pledged a 2.5 per cent cut from current output of 800,000 bpd.

This month, prices rose by \$1 a barrel when Libya, Venezuela and Nigeria announced similar cuts totalling 130,000 bpd. Present prices are more than \$4 below Opec's target of \$21 a barrel. Oil traders believe further price increases are unlikely without similar action by the leading oil exporters, including Saudi Arabia and the United Arab Emirates.

Opec production cuts are being partly offset by a recovery in output in non-Opec countries, including Britain. County NatWest yesterday forecast that UK oil production would recover from about 1.84 million bpd in 1991 to 2 million this year as scheduled shutdowns are completed.

## Waterford Foods to raise £23m

BY GILLIAN BOWDITCH

WATERFORD Foods, the Irish group that agreed to buy Express Ireland, Grand Metropolitan's Irish dairy business, last week, is raising £24.3 million (£22.8 million) via a rights issue.

Waterford Co-operative Society, holder of a majority stake in Waterford Foods, is subscribing for 8 million shares, 23.5 per cent of the two-for-nine rights issue, which is priced at 174p. The remainder of the issue has been underwritten by AIB Capital Markets and the advisers to the issue are AIB Corporate Finance and Goodbody Stockbrokers. Goodbody will place the £13.9 million of rights that Waterford Co-operative Society does not intend to take up.

Waterford Foods said that since it came to the market in 1988, the group had made a number of acquisitions in Britain and America and it believed now was an appropriate time to raise new equity to expand the capital base of

the group and position it for further development. Waterford said that during 1991 "a very satisfactory performance was recorded by the group. The successful acquisition programme has enhanced profitability and the board considers that the recent acquisition of United Co-operative Dairies will further enhance the group's development. The directors look forward to, in due course, reporting a satisfactory outcome for the year ended December 31, 1991."

The price for the acquisition from GrandMet was not disclosed, but the deal was estimated to be worth £100 million. Waterford Foods said that on completion of that deal, the earnings per share and cash generative position of the group would be enhanced.

The group also intends to bring forward proposals to acquire Waterford Co-op's 50 per cent interest in Waterford Express Dairies.

## Teesside pledges growth

BY PHILIP PANGALOS

TEESSIDE Holdings, the newly-privatised port group, has promised that it will more than double traffic at Tees and Hartlepool as part of its expansion plans.

The government recently announced that Teesside had won the bid for the port, although a dispute arose when it was revealed that rivals had topped Tees's £180 million offer.

Teesside is co-owned by Powell Duffryn, the distribution and engineering group, Humberstone Holdings and 31, the investment capital house. Employees have a 5

per cent stake. However, Teesside still awaits final ratification from the Department of Transport.

Bill Andrews, chairman of Teesside and chief executive of Powell Duffryn, said: "We are advised the decision will come shortly."

John Holloway, chief executive of Teesside Holdings, said £27 million would be invested over the next five years. "The programme for development of the port is positive," Mr Andrews said.

The company intends to increase container traffic passing through the port

more than twice over in less than five years and hopes to attract general cargo liner services.

Mr Holloway said it was "a scandal" that many goods exported from factories on Teesside were being transported to other British ports.

"This is not good for the companies, this is not good for the region's exports and most of all it is not good for the port," he added.

"We know for a fact that local manufacturers are forced to spend millions transporting their products to other ports."

## A 'Concert' of Acclaim.

"Wonderfully rich, buoyantly affirmative and superb."

—The Guardian

"Mythic, extraordinary and fiercely funny."

—The Independent

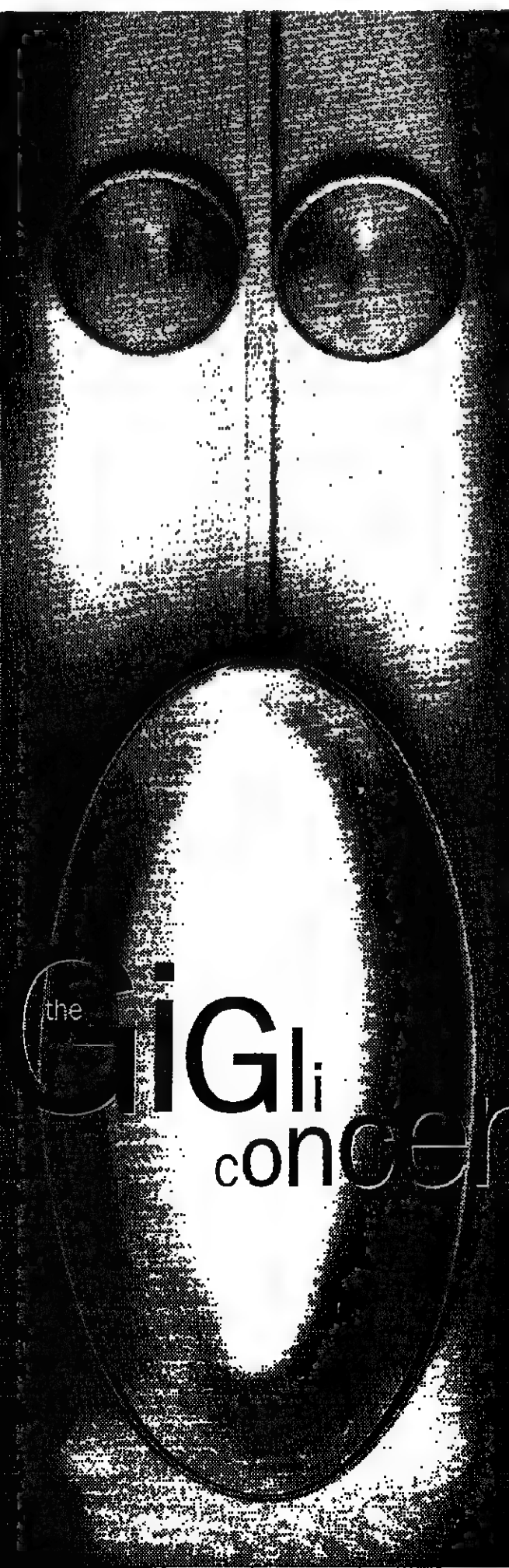
"It has everything: wit, pathos and music."

—The Financial Times

"A thrilling and intense experience."

—The Observer

The critics are singing the praises of Tom Murphy's *The Gili Concert*, the latest collaboration of *AT&T OnStage* and the Almeida, playing now through 22 February. *The Financial Times* goes on to say that this play "cries out to be seen." All you have to do is call 071 359-4404.



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#### LICENSED PREMISES

##### GOWER COAST, WALES

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##### CARAVAN RESTAURANT

##### 2000 sq. ft. 100 seats. 1000 sq. ft.

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# Shares rise despite gloom

A LATE rally enabled share prices to end a nervous session with modest gains on the day, despite another spate of gloomy economic news.

A fall in Tokyo set the scene for an early mark-down in London, with dealers worried that share prices may have run too far, too soon. Another gloomy survey from the Confederation of British Industry was reinforced by the latest Retail Sales figures showing consumer confidence at a low ebb.

Conditions remained volatile, with many market-makers still short of stock after the market's recent strong run. However, selling pressure was light, with only 418 million shares changing hands. The FT-SE 100 index ended back an early fall of almost 17 points to finish the session 8.2 ahead at 2,544.9. However, dealers are becoming increasingly anxious about recent advances in New York and fear a sharp correction may be on the cards, which would drag London lower.

Government securities took heart from the pound, which continued to rally against its main rivals. Prices at the longer end closed with gains of 1/4.

RTZ, the mining finance group, eased 3p to 535p in response to a profit downgrading by Smith New Court.

the stockbroker, which has cut its forecast for the current year by £42 million to £520 million. The broker is looking for £503 million for the year to December last.

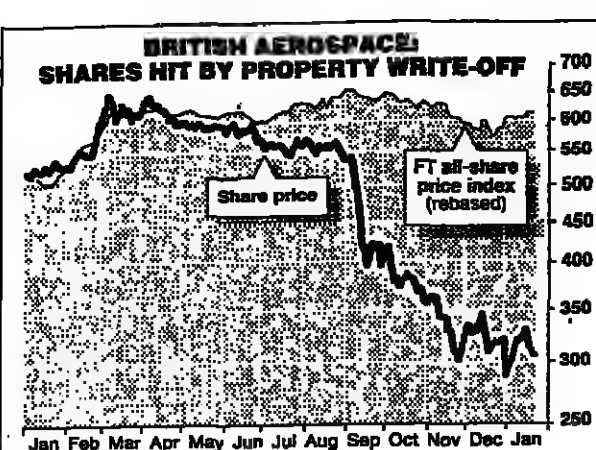
Shares of British Aerospace were an early casualty, falling 12p to 302p, after touching 288p following the departure of Dudley Eustace as finance director. Weekend reports also claimed that the group may face a charge from the supermajority chain, for up to £80 million because of an ill-fated property joint venture.

Asda and BAE became involved in the venture in 1989, specialising in retail property. The collapse in property values means the groups now face big provisions relating to the venture.

Steeley, the building products group, fell 7p to 377p as hopes of a counterbid began to fade. Redland, 4p firmer at 477p, has made an unwanted offer valuing the company at £600 million. Tarmac, 4p better at 127p, yesterday sprung to Steeley's defence, claiming Redland did not have the confidence to meet competition head on. Tarmac was responding to Redland's criticism about the merger of its brick and block making activities with those of Steeley last year.

Retail sales disappointed the market, showing a 1 per

## STOCK MARKET



cent decline in sales volume. Falls were recorded in Argos 3p to 291p, Boots 3p to 440p, Burton 2p to 37p, Dixons 3p to 230p, Kingfisher 3p to 494p, Marks and

Spencer 6p to 296p, Rainers 3p to 24p, W H Smith A 13p to 461p, and Storehouse 3p to 107p.

The pharmaceutical companies shook off some of their lethargy. Fisons, the subject of a number of bearish stories

in recent weeks, jumped 21p to 353p, with dealers taking the view the shares had been oversold. Glaxo, the subject of a recommendation to take profits, also rallied 26p to

trading group, headed by Tiny Rowland, rallied 14p to 164p ahead of full-year figures on Thursday expected to show pre-tax profits down from £273 million to about £250 million. Worries about a possible cut in the dividend persist.

Last week's decision to cut its mortgage lending rate has not prevented UBS Phillips & Drew, the stockbroker, from reducing its profit forecast. The broker has slashed its forecast for the current year by £60 million to £635 million, blaming higher provisions because of house price

possessions. P&D also fears a cut in the dividend. The shares responded with a loss of 8p to 290p. The rest of the banks appeared mixed ahead of the dividend report season. There were losses for Bank of Scotland 2p to 115p, National Westminster 4p to 285p, and The Royal Bank of Scotland 1p to 171p. Standard Chartered was another weak market, losing 9p to 419p. There were modest gains for Barclays 4p to 394p, and TSB Group 3p to 132p, while Midland was unchanged at 129p.

James Wilkes, the mechanical engineer, surged 30p to 189p on learning of a bid approach. The group regards the approach as unwelcome.

MICHAEL CLARK

## Misery reigns in Tokyo market

FROM JOANNA PITMAN IN TOKYO

THERE seems to be nothing but scenes of misery on the Tokyo Stock Exchange these days. The Nikkei index numbered 407.55 points yesterday to close at 20,913.82, having come under increased selling pressure from domestic institutional investors, despite a strengthening of the yen in Y123 against the dollar.

Jesper Kall, chief economist at SG Warburg in Tokyo, said: "Nobody has any faith any more. Domestic institutions are just sitting back and watching. It seems that foreigners are the only ones prepared to commit money to the Japanese economic recovery, and there are not many of them willing to do that now."

The only new money going into the market comes from short-term funds looking for meagre gains over two or three days fluctuations. City banks are anxious that they will not be able to meet their capital adequacy requirements in line with targets issued by the Bank for International Settlements. Many market participants are waiting for official ministry of finance support to save a market that has performed poorly in recent months.

## HK index surges to record

FROM LILIA YU IN HONG KONG

THE Hang Seng index surged 56 points yesterday, or nearly 1 per cent, to a record high of 4,510.

The market was riding on China's agreement last Thursday to a copyright protection deal with America, thus averting a trade war.

Brokers and investors were also optimistic that with improved Sino-American relations, Peking would have its most-favoured nation status renewed by Washington later this year.

Hong Kong stood to lose billions of dollars in trade revenues if America started slapping high tariffs on Chinese goods because most of the colony's exports have been manufactured across the border to exploit China's cheaper land and labour.

The Hong Kong market began rallying late last week.

## Dow falls 6 points in weak trading

New York — American blue chips remained weak in morning trade amid concern the market may have reached a peak with its seventh record high close of the new year on Friday, and fears that another plunge in Tokyo shares could spread to Wall Street.

The Dow Jones industrial average was 6.71 points lower at 3,258 in mid-morning trade, off its low of 3,245.

Declining shares led advancing shares by nine to five.

Michael Menn, of Oppenheimer and Co., said investors were nervous about the top 50 growth stocks after an article in *The Wall Street Journal* discussed possible risks involved in holding some of the high-valuation issues.

Analysts said published at

legations that Upjohn Co hid data showing its Halcion sleeping pill caused psychiatric side effects should increase pressure on the health-care sector.

United Technologies plans to announce a restructuring aimed at cutting \$1 billion in costs over the next two years heightened concern over the economy and is also depress the market.

Frankfurt — The 30-share Dax index ended up 6.18 points at 1,677.17, its highest closing level since June 26, 1991, when it finished at 1,672.14. After two early dips, which triggered buying, the DAX climbed steadily for most of the session only to see a late wave of selling knock it off the day's high. Turnover was below levels seen last week, dealers said.

## WALL STREET

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## C&W breaks off AT&T talks

Trade department officials heard yesterday that Cable & Wireless has broken off its discussions with AT&T, the American telephone group. Even if they did not breathe a sigh of relief at the news, their political masters almost certainly did. For the prospect of C&W, one of the earliest of the Conservative privatisations, concluding a strong link with a powerful American communications player during the pre-election period is not an attractive one to the government.

A cauldron of pre-election politics, with all parties seeking even the slightest of chances to score points, is hardly the best forum for a cool airing of the issues. More to the point, C&W's senior executives were, I understand, unwilling to force either party to take a position, which in Labour's case might well have been hostile. C&W believes that it can make out a case for co-operation with AT&T that would satisfy both the industry's regulators and the trade department but would prefer to negotiate in a calmer post-election atmosphere.

The discussions have been common knowledge in the City, though both companies have said remarkably little about them. C&W's share price has reacted strongly.

The idea of a full-scale AT&T bid was never a runner given C&W's size and the possible anti-trust implications in America, where the combined long-distance market share of the two would be close to triggering regulatory action. A part flotation or sale of a stake in Mercury to AT&T was the most likely area for agreement, yielding a useful injection of cash and hopefully placing a sufficiently forward-looking price on Mercury, C&W's domestic rival to BT, to influence the group's stock market rating.

Further progress towards international links are a victim of the electoral cycle. Given the longer-term potential of Mercury and the group's painstaking moves to build a global digital highway, however, there will be no shortage of candidates willing to talk turkey with Lord Young and his colleagues later in the year.

## London calling

Edie George, deputy governor of the Bank of England, chose a foreign exchange conference in London yesterday to make a spirited case for London becoming the site of a European central bank if economic and monetary union were achieved. London's open environment and large community of foreign banks, its dominance in foreign exchange trading and in ecu instruments, its long-standing lead in ethical standards and its trading infrastructure, all made it the logical centre for European monetary institutions. Such was London's strength, said Mr George, that putting them anywhere else would be a more serious blow to their effectiveness and credibility than it would be to London. No doubt the Bundesbank agrees.

Sadly, rival centres have the inconvenient argument that Britain is the only country not to have agreed to join the single currency if it is eligible. John Maples, the economic secretary, mounting a defence of the opt-out clause at the same conference, insisted that this would not damage London as a financial centre. However, London seems unlikely to win if the central bank has to start in a caravan in case Britain decides to stay out. As Mr George pointed out, London's foreign exchanges were not hurt by years outside the ERM and are particularly dominant in trading the three main international currencies and sterling, rather than European national currencies. The choice of a central bank site is, however, political.

# Free trade rhetoric to be taken with a pinch of sugar

Triangular agreements may provide food for Russia, but they are also protectionist for western European, says George Brock

As Boris Yeltsin, president of Russia, announces that he might like to join Nato, and John Major says he would like to see Russia in the European Community, western Europeans bask in the comfortable superiority of knowing that they are already inside the clubs that new states want to join. Secure in our prosperous communal web, we provide confident economic role models for infant republics. But our credentials are slipping.

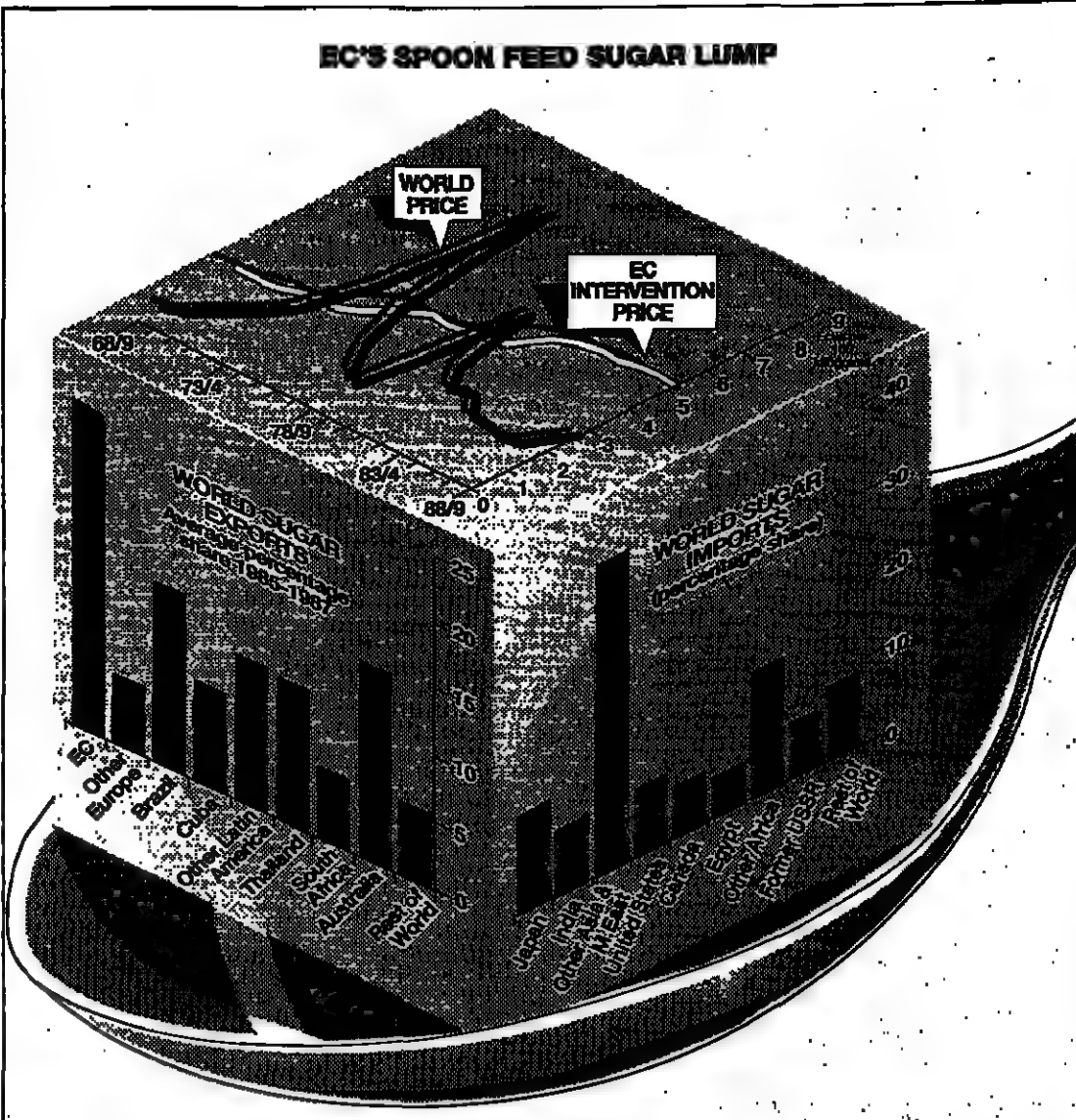
As the latest meetings in Brussels and Geneva showed, the world trade talks are still stalled over the complexities of EC agricultural protection. The looming danger of trade wars should warn Mr Yeltsin to read the rules of the clubs he wants to join before applying.

Russia has just appointed a new ambassador to Brussels — Ivan Silayev, the former Soviet prime minister. His first task might be to tell them back home why EC steel producers are already complaining about the "dumping" of Polish steel sections, months before the start of tariff cuts ahead of the agreement to ease access and end quotas. Indeed, the complaints started before any sales were known to have been made by the Poles at the prices that Eurofer, the EC steel lobby, is attacking. Eurofer is anxious that Polish exporters should not get the mistaken idea that they have an open door to the EC market.

Having limbered up on steel, Mr Silayev might then tackle an issue that typifies the Community's bureaucratic predilection for trade manipulation: the awful tale of the European sugar lump. A damning analysis by EC auditors revealed that the Community encouraged sugar production at almost double the world price for most of the Eighties, while the EC was the world's leading sugar exporter.

Amid the autumn din over the Maastricht treaty, such important facts about the real state of Europe's trade did not receive the attention they deserved. David Henderson, chief economist at the Organisation for Economic Co-operation and Development, noted last month that of the organisation's 24 rich states, only four had ended the Eighties with more liberal trade rules than they had had at the start.

Most industrial economies had come to believe in market forces during the decade, he pointed out, but liberalisation did not apply to trade. Many government trade rules defeat exactly the objectives they try to achieve in domestic structural policies. Despite much loose talk about the globalisation of the world economy, Mr Henderson said: "The world economy at the end of 1991 is considerably further away from full



Integration than it was in the spring of 1991.

He pointed to a startling and shaming paradox: for the first time in economic history, the impulse to trade liberalisation is now coming not from industrial states, who claim to favour free trade rules, "but from countries whose past position has been to question or reject them".

The EC sugar saga explains why. The sugar we eat and drink every day reaches us by way of a self-defeating and scandalous effort to distort trade — yet the EC accountants' demolition of the community's entire 20-year policy has been received in almost total silence. Production quotas and price supports have produced 150 per cent more sugar than Europe's consumers needed for the past decade. The system has stifled European development of the cheaper sugar substitute, iso-glucose. Inefficient producers, especially in Italy, are kept going at an annual cost to EC taxpayers of £500 million, and incalculable costs to ordinary buyers of sugar. The community, a big player in the global sugar market, depresses sugar revenues everywhere.

Brussels makes sure that every EC state has a sugar industry, whether needed or not. On joining the community in 1986, Portugal was given a "production quota" for a sugar

industry which didn't exist — for the good reason that sugar beet does not grow well in Portugal. Shocked auditors say stubborn attempts to start sugar beet production in Portugal are proving "particularly difficult". They record that the few thousand tons that are now produced have to be shipped to Spain for refining before being lugged back to Portugal again. The whole business, the auditors conclude, is "clearly lacking in realism".

The Eurocrats would argue in their own defence that Napoleon II is to blame. At the start of the last century, the French emperor tried to strangle the British economy with the "continental blockade". As normal sugar supply was disrupted, sugar-beet production sprang all over the continent as states aimed to replace imports with their own sugar. The architects of Europe's common agricultural policy in the Sixties, had the same apparently unexceptional aim in mind. Economic independence sounds good in theory. The result may be a complicated disaster.

"Triangular trade", the fashionable fix for the agricultural trade tensions between east and west Europe last summer, sounds equally fine. Rich countries give former Soviet republics money to buy up the

food surpluses which are building up in eastern Europe because Polish, Czech and Hungarian farmers can not sell their produce in the EC. What could be neater? Triangular trade is both ostensibly humanitarian and discreetly protectionist. The starving are fed and the common agricultural policy survives to subsidise another day.

Everybody from Mr Major to Jacques Delors promises that triangular trade will be temporary. But that is what the designers of the sugar system said in the Sixties. Freeing trade makes politicians unpopular in the short run and its long-run benefits are diffuse. Triangular or bilateral arrangements can be politically attractive and the price in lost trade is invisible.

Triangular trade symbolises the paradox of current EC economics. While internal trade barriers fall, as the single market approaches, governments manage trade in ever more sophisticated ways. As Mr Henderson noted, the Eighties saw regional trade liberalisation go hand in hand with a "continuing drift towards managed trade".

Mr Yeltsin looks like a hard man to intimidate. If he survives his own economic reforms, he might like to accompany his membership application with a lecture to the EC on how open markets work.

## Now Bonn agrees — 6% or a recession

The language might be different, but the message is unequivocal. The German government and the Bundesbank are in public agreement that the country faces recession unless wage rises are contained at the level of inflation.

Jürgen Möllemann, economics minister, drove that point home in a speech on Sunday. The Bundesbank used a more guarded message in its January monthly report: The economy will escape recession, provided unions and employers can agree on a moderate settlement. This proviso sounds refreshingly naïve in the light of wage demands of 10 per cent and strike threats by the steel and private-sector employees union, promising the most hotly contested wage round since 1984.

If a damaging strike is to be avoided this year — and there is a good chance it will — then this would occur only at the price of an economy-wide settlement of about 6 per cent. This is a level the Bundesbank and Herr Möllemann have condemned from the outset.

The economic policy debate is turning bitter. The Bundesbank blames the government, the government blames the Bundesbank's interest rate policy, and everybody blames the unions. In the past, such controversy has always been the harbinger of recession.

It is not surprising the Bundesbank thinks the economy is least at risk from its decision in December to raise interest rates half a percentage point. Interest rates, says the report, did not present an "unsustainable risk for economic growth and employment". The real risks lie "with pay, public spending and possible negative effects from the international economy". There is no need to fear that the calm period that the German economy is currently experiencing will change into long-term weakness or lead to a recession, "as long as the country does not enter into a wage-price spiral".

The question one might ask is: if interest rates were to have so little effect on the economy, as the Bundesbank claims, why raise them in the first place? Surely, higher interest rates are designed to depress economic activity, directly through higher borrowing costs and indirectly through the exchange rate, by shifting the balance of demand and supply in the economy in the hope of creating pressure on prices.

Judging by the attempts to justify the December rate rise, including most recently by Helmut Schlesinger, Bundesbank president, during his North American tour, it is obvious that on interest rates the Bundesbank is defensive.

There is also uncertainty over the conditions that would lead the Bundesbank to cut interest rates again. A small pay settlement, it has been suggested, would be the most obvious indicator, but Professor Schlesinger denied this, thereby depriving the unions of the greatest incentive for wage moderation.

WOLFGANG MÜNCHAU  
European Business Correspondent

## THE TIMES CITY DIARY

### Aiming to ease tax burden

THE innermost workings of the Treasury, in the run-up to Budget day, have been revealed by Mrs Sargent, a tax partner with Moore Stephens, the City accountant. Sargent, aged 59, is vice-chairman of the Chartered Association of Certified Accountants and, as such, is one of the authors behind a document containing a number of budgetary requests and suggestions, sent to the Treasury two months ago. One of those suggestions was that individuals should be put on a par with companies and allowed to carry back losses over a three-year period. Such a carry-back loss relief scheme would mean that many struggling, cash-strapped one-person businesses would receive cash payments from the Inland Revenue, against tax paid on profits in previous years. The Treasury, it seems, is interested, so much so that Sargent, already the author of ten books on tax, last week received telephone calls from the Inland Revenue and the employment department, requesting more information. Sargent says: "Our main concern this year is that those companies who have survived the recession, but might now be teetering on the brink, be encouraged to hang on and to keep going. It would give them immediate assistance by easing cash flow."

### Chaotic quest

AS THE hunt for a name for the impending new world trade agreement goes on, our thanks go to the reader in



Witham, Essex, who dreamed up three acronyms to help us in our quest. Arthur Dunkel, director general of the General Agreement on Tariffs and Trade (GATT), may care to consider COITA — global organisation for international trade agreements. Or how about WOTAN — world organisation for trade agreements among nations. Perhaps most fitting, given the confusion that always seems to accompany trade conferences, is CHAOTIC — combined heroic accord on open trading and international commerce. We are happy to pass on these suggestions to Mr Dunkel and are open to more.

### Fountain of wisdom

IN A rare twist of good fortune for the embattled insurance market, Ken Rolis, managing director of CE Heath UK, the insurance broker, has found it is possible, after all, to get something for nothing. Rolis idly put pen to paper in a crossword competition sent out over Christmas by Streets Communications, the firm's public relations adviser, and

was amazed he picked as one of four winners out of more than 60 entrants. "It's nice to come out of Christmas on the plus side," says Rolis who is now the proud owner of a Pelikan Sovereign pen worth almost £200. Streets commissioned the jumbo crossword from a professional crossword compiler and sent out 2,000 copies to journalists and clients as an alternative to the usual Christmas card. The winners, after a check for multiple applications and a final draw, included Denise Blum, direct marketing manager of Norwich Union Health Care, Richard Holland, chief executive of Boosey & Hawkes, the music publisher, and Neil Bennett, our banking correspondent, who has vowed to improve his handwriting.

### Woolly assault

ANGLO American and De Beers, both household names in the world of mining, are launching a low-key assault on an unsuspecting British public. The ammunition is handcrafted woollen rugs and tapestries. A factory in South Africa has been churning out yards of material with the industrial giants' backing, and is now set to unleash its goods on Britain. Grant Hylop, managing director of Masana, which has a factory in the eastern Transvaal and owns a range of galleries in Johannesburg, says: "Our standards are up with the rest of the world." Hylop, who passed through Britain after a trade fair in Germany, adds: "We've already done work for the World Bank, and are now looking at Britain."

CAROL LEONARD

### Lloyd's must help existing names

From Mr M. D. Freeman

Sir, Claud Gurney concludes his letter to you of January 17 by stating that he has sent in his resignation to Lloyd's, for the reasons which he so clearly sets out. I fear that his action will indeed be followed by many more members unless Lloyd's understands that its future is inextricably linked to a fair resolution of the problems of the past, as highlighted by its dreadful results for 1988 and 1989, which are causing so much financial pain and distress.

The Task Force rightly points out, and Lloyd's have at long last accepted, the urgent need to "cap" its members' losses. However, the brief of the Task Force was only to look to the future, so that names who have already suffered losses exceeding 150 per cent of their premium income limit, and with no end in sight because of so many underwriting years of so many syndicates remain "open", will derive no benefit as a result of the proposals, which very belatedly are now attempting to address the problems.

Like Mr Gurney, many names have hung on to their membership in the hope that following publication of the report of the Task Force, Lloyd's would indicate that it is taking some positive steps on behalf of its members who, as a result of what must now be seen as a totally flawed regulatory system, are at this very moment facing calls by Lloyd's on their security, which in many cases will mean the loss of their homes, which are charged to their banks to support the banks' guarantees to Lloyd's.

Lloyd's own estimate is that it suffered 4,000 resignations in 1991 and at least 2,000

### BUSINESS LETTERS

### Back Rowland

From Mr D. F. Ritchie

Sir, How extraordinary that within hours of the publication of the Rowland Task Force report, the Chairman of Lloyd's should say the Council "was unanimous in endorsing the thrust of the report" and yet rejected the suggestion that Lloyd's should replace the Council and chief executive with a regulatory body and a business board with separate heads.

I am sure that most members feel that the Council must take the ultimate responsibility for the lack of control it has exercised over the conduct of business within the market, which has resulted in personal tragedies for so many Names.

Losses, though not welcome, are acceptable; catastrophic losses resulting from incompetence or negligence are not.

Let's have a new Market Board as proposed.

Yours faithfully,  
D. F. RITCHIE,  
Cokehurst, Stopham,  
Pulborough, West Sussex.

### Directors' controls

From Mr F. R. Hopkins

Sir: The views expressed by Lt Col Anthony Drake regarding Tate & Lyle (Business letters, January 6), I am sure, will be endorsed by the majority of public company shareholders. Is it not about time that legislation should be introduced to prevent co-directors giving service agreements to their colleagues exceeding one year; furthermore requiring all plc directors to purchase on the open market shares to the value of one year's salary?

Yours truly,  
F. R. HOPKINS,  
Flat 2, The White House,  
24 Third Avenue,  
Hove, Sussex.

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## Betnesol included in £13.5m deal

## Medeva pays £13m for Glaxo brands

BY GILLIAN BOWDITCH

MEDEVA, the niche pharmaceuticals business that was one of the ten top performing shares on the stock market last year, has bought more than 30 pharmaceutical brands from Glaxo for £13.5 million.

The brands, which include Betnesol, the respiratory drug, have a combined turnover in the United Kingdom and Ireland of about £6.5 million.

Medeva will take over responsibility for sales from February 1 in the United Kingdom and from October 1 in Ireland. The group will assume responsibility for the products, including manufacturing, by the end of the year. The products will be marketed by Evans Medical, Medeva's subsidiary.

David Lees, finance director of Medeva, said that some of the drugs are already manufactured by Medeva, under contract for Glaxo. He added that Medeva's 100-strong sales force would be able to

market the drugs more effectively than Glaxo as they would be priority drugs for Medeva instead of being secondary drugs for Glaxo.

Medeva, whose chairman, Bernard Taylor, was formerly chief executive of Glaxo, will pay for the acquisition in three instalments of £3.5 million, £4.5 million and £5.5 million over a two-and-a-half



Taylor: delighted

year period. The drugs involved extend to 52 product lines in the United Kingdom and 16 in Ireland.

They include products used in the treatment and prevention of: paracetamol poisoning; deficiencies of iron and vitamin B12; hypertension; eye, ear and nose inflammation; and operative and post-operative conditions.

Sean Lance, managing director of Glaxo Pharmaceuticals UK, said: "Our emphasis on our exciting new product range means that it's the right time for us to transfer some of our other products to an organisation better suited to maximise their potential for patient health care."

Mr Taylor said: "We are delighted to have arrived at this agreement with Glaxo and look forward to incorporating this wide range of extremely effective and valued pharmaceuticals within our existing range."

Medeva shares rose 6p to 222p.

## Tarmac attacks Redland

BY MARTIN WALLER

TARMAC, the building materials and housebuilding group, has hit back at "petulant attacks" from Redland, its rival, over a planned joint venture with Steetley, the building materials group now the subject of a hostile bid from Redland.

Redland, which launched its £576 million offer days after the joint venture was announced, claimed that the terms of the venture favoured Tarmac and criticised the quality of the latter's brick and concrete block business. Bryan Baker, managing director of Tarmac, said that since 1986 his company had committed more than £60 million, excluding acquisitions, to the building materials side.

Tarmac remained convinced that the joint venture, now on ice for the duration of the bid, was right for shareholders and customers. It was depressing, Mr Baker said, that Redland's response to the challenge had been "to try and remove it by a hostile bid for Steetley, rather than having the confidence to meet the challenge head on".



Would-be partners: Tarmac's Baker and Richard Miles, head of Steetley

## GWR to cut costs after loss

BY MARTIN BARROW

GREAT Western Resources, the troubled American natural resources group listed in London, is seeking a 40 per cent reduction in overheads and has ordered cuts in executive pay after losing \$22.3 million in the year to September 30.

The company is negotiating compensation with Dan Pena, who resigned as president and chief executive this month under pressure from institutional shareholders. GWR says loans of \$1.4 million made by the company to Mr Pena will be deducted from any settlement.

Revenues fell from \$152.7 million to \$134.6 million as a result of a protracted dispute with South Carolina Public Service Authority over a coal supply contract. The contract was suspended last August. GWR is contesting the authority's right to withhold payment of \$33 million for coal already delivered.

There was a loss of 26 cents a share. In the previous 12 months, net income was \$4.11 million and earnings were six cents a share. There is no dividend (\$5p).

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THE POSSIBILITY MADE REALITY.

## Yarrow groups plead case for frigate orders

BY KERRY GILL

THE case for awarding the next batch of orders for Type 23 frigates to Yarrow Shipbuilders on Clydeside will be made in the House of Commons today by management, union leaders and politicians.

They will also outline the economic consequences and implications for the maritime defence industry should the order be placed elsewhere.

The report by Professor Tony Slaven and Philip Taylor, of Glasgow university's centre for business history in

Scotland, says that Yarrow has more experience and capability in building Type 23 frigates than any other shipyard.

The company, which is pinning its hopes on securing the next multi-million pound order, expected to be announced in the spring or even earlier, won six of the first ten orders for the frigates.

Yarrow, the report says, designed the Type 23 class and is the only yard capable of designing and building a full range of surface ships from specialist craft to destroyers. It provides all services, including technical and production support and training for all personnel.

The economic argument for placing the order with Yarrow is also emphasised in the report.

It says that the company provides employment for 3,500 people directly, another 1,500 in supply services and up to 5,000 throughout the United Kingdom in various support industries. This represents an injection of £100 million into the British economy, of which two thirds goes into the local economy.

Professor Slaven and Mr Taylor give a warning that if Yarrow fails to land the order, the workforce would be cut very quickly. About 640 jobs are already scheduled to go with a further 500 job losses by the summer. The design team, which is the yard's core, would probably disintegrate.

"Yarrow's survival depends upon gaining the next batch of Type 23 orders," say the authors, adding: "If Yarrow does not survive, national interests in design and naval defence will be seriously compromised."

"No other yard could fill the gap left by Yarrow in the short to medium term. The navy and the nation need Yarrow."

The yard's workload is expected to be completed in 1993, at which time, without the Type 23 frigate order, it would face closure. The authors of the report say that the frigates are the only foreseeable orders of any significance in the coming decade.

## Russian fillip for nickel

BY COLIN CAMPBELL

THREE months' nickel prices rose \$105 to \$7,860 a tonne, the highest level since September, on the London Metal Exchange on fears of Russian supply disruptions. The aluminium market was also unsettled by the Russian factor, as analysts assess the country's desperate need of foreign exchange.

The nickel market was unsettled by reports that the giant Norilsk plants, in Kola province, might close because they were unprofitable. The republics of the former Soviet Union account for 15 per cent of world nickel output and metal sales have been important in generating foreign exchange.

Russia previously used gold, platinum and other precious metals to earn hard currency. It might now turn to increased sales of base metals to compensate.

Reserves of gold have been depleted. Platinum has already been extensively used in swap arrangements, and diamonds are now formally marketed through Central Selling Organisation, De Beers' marketing arm.

German metal analysts suggest that world nickel prices could jump by up to 30 per cent if production in the former Soviet republics were halted.

## RECENT ISSUES

STK Warrants 1005/06	40	+3
Bullish Gifford Japan Wt	113	-5
British Water Non-Voting (1)	425	-
British Telecom New (23)	150	-2
Burn Stewart Dis. 10p (144)	150	-2
Bone Mining Warrants	2	-
Capital Industries 1p	63	-
Essexman SA 1991 Wt	28	-23
Fleming Japanese Warrants	25	-4
Hong Kong Zen Div 1p	21	-
Latin Amer. Inv & Ap (104)	119	-
Low (R) Warrants	5	-
Multinational Warrants	6	+2
Scotfield Resources (40)	54	-
Signature of Corstall Sp (50)	33	-
St David's Zen Div 1p (104)	103	-
Wit Group Warrants	5	-

## RIGHTS ISSUES

Airbus Industrie 1p N/P (43)	9	-1
Anglo Irish Bank N/P (43)	3	+1
Banks Hunter 20p N/P (220)	18	+5
Baroness N/P (235)	13	-4
Northern Foods N/P (415)	118	-1
River & Merc. Cap. N/P (774)	14	-
River & Merc. Inv. N/P (1054)	14	-
River & Merc. Spd 1p N/P (1194)	3	-
River & Merc. Warrants N/P (174)	3	-

## MAJOR CHANGES

RISES:	FALLS:
ECC Group	494p (+50)
Fluoro	100p (+20)
Glaxo	854p (+250)
A. Kershaw	500p (+120)
Lorho	184p (+140)
Medeva	228p (+120)
Norina Davis	175p (+170)
Independent	520p (+200)
Pearson	785p (+100)
Blue Circle	258p (+50)
Sothelays	650p (+120)
WH Smith 'A'	481p (-120)
Meyer Int	411p (-120)
SA Breweries	955p (-150)
Morland	225p (-100)
Broken Hill	380p (-170)
British Aerospace	302p (-120)
Naves Corp	615p (-200)
Thomson Corp	755p (-200)

Closing Prices Page 25







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# Court of complications

Small claims procedures should facilitate justice. Francis James found otherwise

**T**he small claims court is intended to give the man in the street a means of obtaining legal redress without tears and big bills. That, at least, is the theory. The practice, as I have discovered, is rather different.

Ten months ago I began proceedings at Brentford county court in west London for £350 against a clutch replacement company, whose local outlet had left my car with body damage, after paying £75 in court costs, yet the end is still not in sight. The following abbreviated diary will give some indication of what you might encounter with a simple case.

March 22, 1991: I apply for the issue of a default summons and pay £37.  
April 2: Summons mailed, by ordinary post, to defendant.  
May 9: Defendant has failed to file a defence.

May 13: I apply for judgment. Game, set and match? Not, it turns out, by a long chalk. The same day defendant applies to have judgment set aside. Hearing set two and a half months hence.

June 12: I apply for a warrant of execution to speed things up after the hearing. The court fee is £38, which brings my claim to £425.

July 29: The first court confrontation. Defendant claims he did not receive the original summons. I throw in that the general manager's secretary told me on the telephone that the summons had been received and was being held in his "personal file". This interests the judge but the application to have the judgment set aside is granted. Defendant is ordered to pay £175 into court and to file a defence within 14 days after receiving a copy of the summons.

Why did the court send the summons by ordinary post instead of by recorded delivery or registered mail? This would have saved me and the court four months.

August 20: Receive interim report from Medway county court bailiff in Kent, the defendant's jurisdiction, in response to my warrant of execution. Defendant's goods have been "identified and levied on for removal and sale if the defendant does not pay".

August 22: Defendant has failed to pay the £175 into court as ordered and has filed no defence. Cheered, I apply for a reissue of the warrant of

execution and decide to chase things up more closely. It seems that if I do not do this, the court will not either.

September 2: Warrant has still not been issued at Brentford but "will be dealt with now". Feel like asking what my £75 court fees were for.

September 13: Back to the court. Aggravated when informed my file is missing. Must now again fill in the form I filled in months ago.

September 25: An interim report from Medway duplicating that of August 20. Why? Bailiff explains when I telephone that he is new to the office. So does he not read files?

October 3: No news. I telephone the bailiff again. He has given the defendant ten days to pay.

October 18: All the bailiff can offer is that he will go to the defendant soon.

October 25: Another duplicate interim report from Medway. Two more weeks go by in silence. I am now thinking I should prefer to be in the defendant's shoes as he is being given all the time in the world.

November 18: Telephone bailiff again. He finally went to seize the goods. The police had to be called. Uphold: bailiff went off with a cheque for £175, instead of £425, and no goods. The

defendant claimed he had made another application to have judgment set aside, which had the tactical advantage of tying the bailiff's hands.

November 29: Back to Brentford. No application to set aside has been made by the defendant after all. So was it all a wool-pulling exercise? I suspect a campaign of slow attrition.

December 2: Apply for reissue of warrant of execution.

December 20: Telephone bailiff for a progress report. Bailiff dumbfounds me by saying the defendant is now making an application to have judgment set aside.

December 21: A Christmas present, of sorts. Cheque for £175 from Medway finally arrives. Of this sum, £75 covers my court costs, on which I have meanwhile lost bank interest.

January 6, 1992: New Year and the same old story. Brentford has actually received an application from defendant to have judgment set aside. Advised "semi-professionally" to make an application to debar defendant from making further such applications and now do so.

January 16: Brentford hearing before district judge in chambers. Judge

**'I might prefer to be in the defendant's shoes'**



Ten months on and still waiting for his money: Francis James

upholds original judgment in my favour and advises defendant to pay and save himself trouble and further court costs, £30 this time. He tells me I cannot make an application to debar, which later the Lord Chancellor's office confirms. The defendant, the Lord Chancellor's spokesman tells me, can continue to make applications to set aside ad infinitum or until the judge decides enough is enough.

Now, after ten months, it is back to Medway and the bailiffs to start all over again.

At this point I have four observations:

● The system can become complicated enough to require legal advice, which defeats its object.

● The defendant appears to be given an enormous amount of leeway, which hardly seems equitable.

● Sending out summonses by ordinary post can lead to abuse and enormous delay, all to the plaintiff's disadvantage.

● The system has an inbuilt inertia that requires the plaintiff to keep pushing. I dread to think of the time I have spent doing just that.

According to the Lord Chancellor's office, there are no separate statistics for small claims court actions. However, in 1990 arbitrations, which include small claims actions, before district judges amounted to 52,360. Figures until the end of November 1991 were 57,398, suggesting an annual rise of just under 20 per cent.

This may be good business for the courts, but it is bad news for the litigants, who, like me, will doubtless have to pay up front and endure endless delays—all, of course, in the best of legal traditions.

## Open justice that could cause injury

ONCE upon a time justices could give their decisions without the reasons for them. In fact, we were enjoined not to give reasons for fear of giving ammunition to defending counsel or even newspapers. Now the Children Act 1989 forces us to do so. Grappling with the legal changes brought about by the act is not nearly so difficult as coming to terms with such a volte face.

In 1955 the then Lord Chancellor, Lord Kilmuir, remarked: "So long as a judge keeps silent, his reputation for wisdom and impartiality remains unassailable."

Whether or not he intended this as a warning, the fact remains that the more we say the more likely we are to drop ourselves in it. Some justices become so worried that they take half an hour to hear a case and one and a half hours to decide what to say and how to say it. Yet judges have always had to give reasons in civil matters thanks to our common law, which arose out of practice and usage. If somebody is making decisions about people's lives it is surely simple justice that the reasons should be given and that the decisions should be explained in terms that an ordinary person can understand. Even before the Children Act the tendency to do so was growing.

This was seen two years ago in an order for mandamus, when the judge directed justices to state a case, giving reasons for their judgment. On granting the order he said the mother who had lost her application to discharge a care order, and was at that time unable to appeal, should be told what evidence had brought the justices to their conclusions.

As we deal with the backlog of cases from the former Children and Young Persons Act 1969 and struggle to cope with those being brought under the new act, none of us is finding the situation easy.

The new spoken explanation is also fraught with dangers. Should you—as one stipendiary magistrate suggested—explain the actual reason why a child could be discharged from care, namely that her violent father was dead?

As a juvenile court justice sitting with this person, I was horrified. Fortunately, all three of us were in the retiring room discussing how we would phrase our explanation and the stipendiary was a reasonable person who realised that making such a point publicly was not the most tactful way of stating our reason. The mother's presence in court with the child made a sensitive explanation even more important.

This stipendiary duly did but without any reference by name to the child or her mother. They might as well never have been there. I relate this tale solely to emphasise the need for the stipendiaries to sit

in the family proceedings courts with voluntary, lay magistrates, who are mostly more in touch with the realities, if not the legalities, of life.

Sometimes, as in this case, a stipendiary will sit with two lay colleagues. Frequently stipendiaries sit alone and they can get through cases, as one of them remarked, "like a knife through butter". Many stipendiaries, however, are not so happy about such a state of affairs, realising that swift justice is not always genuine justice.

Fortunately, like their lay colleagues, they too are receiving training in both the workings of the legal aspects of the new act and the realities of dealing with families and children.

Those on the family panel do have experience of domestic and care cases. Yet in my experience as a juvenile court justice I have met stipendiaries who sat in that court for only one month in a year, albeit every day of the week.

Dealing with both crime and care, the lay justices sat for a minimum of six months, but for one day a week. There appears little difference but it is the gaps in between that matter. Under the new act, specialist lay justices in Inner London may become as out of touch as some stipendiaries. Let me explain. As a juvenile court justice I used to sit on both crime and care cases for one day a week every other quarter of the year. I shall now sit in a family proceedings court for the first quarter of 1992 and then have three months off. Then comes the third quarter when I shall sit in the juvenile crime court. After

another three months off I shall return to the family proceedings court. The result is an official nine-month gap of experience, which can hardly be conducive to good practice in either of these two jurisdictions.

Those of us who can find the time shall naturally try to keep our knowledge and experience sharpened by taking on extra sittings, probably in the family proceedings court, where we have the most to learn. Stipendiaries will have to learn too and I believe they can learn as much from lay justices as we can learn from them.

Each can and should learn from the other. The lay justice can learn to evaluate relevant evidence more clearly and come to reasoned decisions based on that evidence. The stipendiary can learn about the empathy and communication needed when dealing with families. Some are far better than lay justices at communicating effectively. Some are far worse. We all need to learn more about that difficult art—of putting complicated things simply.

● The author is a chairman of a family proceedings court in Inner London



**BRIEF**

**PAULA DAVIES**

## How barrister Billy left his mark

**A**lmost all the stories told about the barrister William (known as Billy) Rees-Davies, who died last week, were true, and those that were not wholly accurate usually had more than a grain of truth in them.

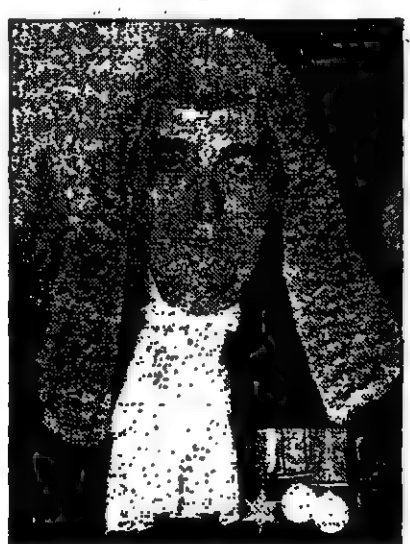
Billy was a throwback to the Victorian and Edwardian style of advocacy, of which one of his heroes, Marshall Hall, was such an exponent. Billy roared along with his legal ancestors and followed some of their precepts. Many would not see the client before the hearing, and nor would Billy. He was hauled before the senate for not making a closing speech for a client. He was usually on his way home, to his constituency, to the races, or to his next case, while the jury was out. "Better someone else does the mitigations," he would say, having imported a junior.

He favoured the dramatic late entry. Three or four minutes late the legal equivalent of the 7th Cavalry would arrive. Billy would swing straight into cross-examination. "Don't you have something to say?" asked Judge Rogers once when Billy appeared at 10.35am. "Yes," replied Billy. "Yer lordship's clock's fast. I meant to mention it yesterday, but it slipped me mind."

He had an enormously quick mind, something which from time to time led him not to read his brief too closely. "If Mr Smith had been called," he told a judge, "I'd have put all his convictions to him one by one and shown him to be the fraudster he is." Crown counsel interrupted: "Mr Smith is a man of completely good character." Billy, unfazed, replied: "In that case he's a very fortunate man indeed."

He was no respecter of reputations

### A man of fast thinking ... and fast living



Fond of a challenge: Rees-Davies

and quite fearless of judges. At one time Judge Rogers, who, it seemed, dealt exclusively in armed robberies, must have lost concentration for a moment, because he found Billy addressing the jury in the middle of his cross-examination. "What are you doing?" he asked. "Telling the jury to disregard the biased evidence of a biased police officer."

"That is my function at a later stage."

"I thought they should be told now."

Well, members of the jury, you heard his lordship. Disregard unfair and hostile evidence of biased police officers.

Although he was physically ravaged by fast living and the pain from the loss of his arm, women were enormously attracted to him and he to them. Sometimes it went against him. Cross-examining a girl in a brothel-keeping case, he asked: "Is there a bathroom in your establishment, Miss Brown?" "You, of all people, dare ask me that question, Mr Rees-Davies," was the outraged reply.

In another bank robbery case his co-defending counsel looked up as a juror was about to be sworn. "My God, Billy," he said, "I've been to bed with her. What shall I do?" Billy replied: "Don't worry. I'll do it for you. So have I."

He could be equally badly behaved out of court. In an Indian restaurant near the Old Bailey, where tables had to be shared, he ate a stranger's poppadums. "Billy, those aren't yours," he was told. "Nonsense, any poppadums in my reach are mine."

On his day he was the best cross-examiner around. If you were found shotgun in hand, photographed in the back, the loot in a sack at your feet, with verbal from here to Manchester, three previous convictions for the same thing and a lunatic story, Billy did not repine. "Come here to make a documentary with a television company who were held up in the traffic, eh? We'll give it a run." Often he charmed a jury into believing it was true. He loved a challenge as much as he loved life.

JAMES MORTON

## Director to retire

SIR Gordon Borrie, tireless champion of the consumer, retires after 16 years as Director General of Fair Trading this July. Speculation is rife about what he will do: he is only 61. Some say he may go back to university circles, perhaps as a master of an Oxbridge college; he was formerly head of the Institute of Judicial Administration at Birmingham University. Sir Gordon would not be drawn this week, save to emphasise that he would be writing books but he had, always regarded that as "a spare time activity. I am very much in the market."

### Deep in debt

THE scale of the debt problem in Britain is brought home by some recent statistics from the economic policy

## INNS AND OUTS

group of the Movement for Christian Democracy. There are 500,000 personal debt cases in the courts every year and 800,000 families have debts involving mortgage or rent arrears. In some London council estates rent arrears are running at an average of £1,000 per household. There are 30 million credit cards in the UK compared with eight million in France and two million in Germany. Other European countries also impose limits on interest rates on personal loans and these are backed by legal sanctions. In the UK there are no legal limits on unsecured credit. Interest rates and rates of over 500 per cent are not unknown. The organisation is calling for sweeping policy changes by banks and other credit institutions that are

committed to maximising lending.

### Eastern premise

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considerable experience of privatisation in central Europe, most recently in Romania". No small feat when both press releases carry the same date.

### Set fair

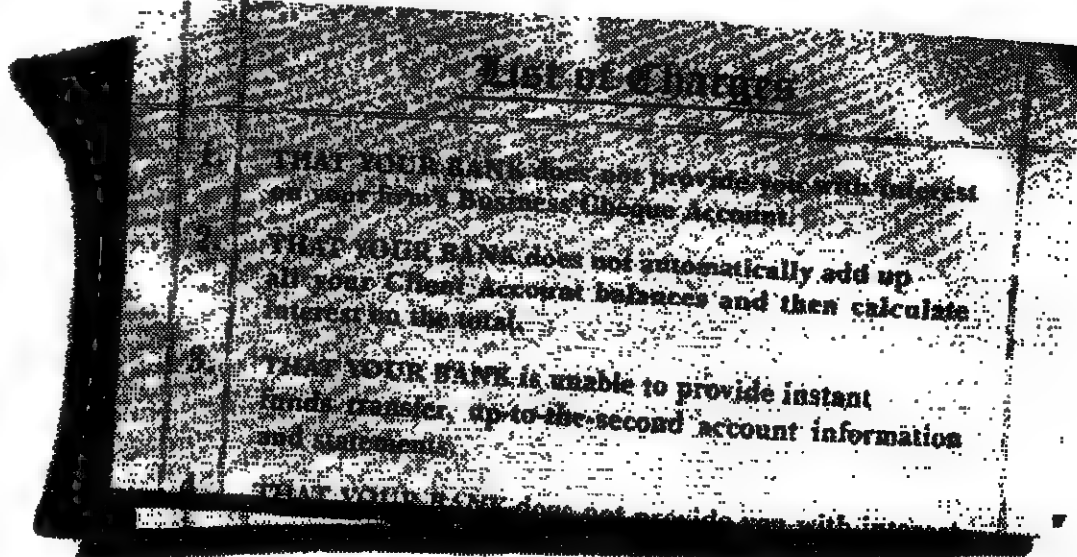
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Violated and humiliated: will wives be protected now that rape by husbands is a crime? The Law Commission questions whether they should have to give evidence

## Forcing rape victims into court

New legislation should treat rape in marriage "just like any other" rape, with "no extra hurdles" to prosecution. This was one of the final recommendations on the subject from the Law Commission published on January 14. After 15 years of campaigning to make this crime illegal, the Women Against Rape (War) group was gratified.

The commission, in its sensitive report, calls in addition for a review of the law under which wives can be compelled to testify against husbands in domestic violence cases.

The "compellability" concept was introduced in 1984. War has always opposed it as dangerous, even life-threatening.

The commission acknowledges the "complex" reasons given by many why a woman may not want to go to court. They include the risk of reprisals, the effect on the children, the ordeal of a court case, the fear of making her husband's suffering public, wanting her husband stopped but not jailed, and economic dependence — if her husband is prosecuted she and her children may pay a high price, possibly homelessness. Many

### Women against Rape states the case for allowing wives in violence cases to refuse to testify against their husbands

women will not call the police if they know they could be forced to go to court. Thus, compellability undermines the effect of making rape in marriage illegal.

The police are divided. Detective Chief Inspector Jacqueline Maillon, of the Metropolitan Police, writes in *Police Review*: "As a victim of violence, her [the woman's] life is being controlled by someone else. If the police and CPS [Crown Prosecution Service] continue the prosecution with an unwilling victim, she finds herself in yet another situation in which her thoughts and feelings are no longer matter."

Other police are still threatening women that they will not come next time they are called unless she presses charges.

Compellability would also increase police powers to pursue men for reasons unconnected with protecting women.

The commission considers the

argument that compellability "would afford... [a woman] some protection against pressure to withdraw her allegation". However, it is the police who should be protecting women from threats and intimidation. Injunctions and bail conditions on violent partners often go unenforced, sometimes with fatal results.

In Canada the compellability rule has been put to the test of daily practice. Police are instructed to bring charges in all cases of domestic violence, with the result that women who refuse to testify are treated as criminals.

This has happened more than once in Britain, too. In November 1991, Parminder Shergill was jailed for 14 days for refusing to give evidence against her husband, Bhinder Shergill, accused of attempting to murder her. She told police: "There are pressures within the community which lead me to feel I would gain nothing by making him

legally accountable for what he had done."

The *Journal de Montréal* (October 26, 1990) reports: "Judicial intervention... by all community organisations... has not yielded the expected results... in the last year, 85 per cent [of complaints] did not end in conviction, for lack of a witness... the anguish of financial deprivation for themselves and their children, the fear of reprisals, and the spectre of their life in ruins prevented women from testifying."

To bring marital rape into line with other domestic assaults, the commission's bill would extend compellability to marital rape. The commission emphasises the need for a full review of compellability: "If a rule introduced principally for the protection of victims generally is having the opposite effect, there must be serious cause for concern."

## Borderline case of law not war

Lawyers are now helping to settle disputes over national boundaries

When the European Community agreed to recognise Croatia and Slovenia last week, Douglas Hogg, the Foreign Office minister, emphasised the importance of adhering to the nations' existing frontiers, external and internal. However, given the ethnic shifts that have taken place in the region over the years, it would be astonishing if there were no border disputes.

Sorting out such quarrels is now an important source of business for an élite group of British and American lawyers. A conference on international boundary disputes hosted by Frere Cholmeley in London two weeks ago revealed an astonishing number of grievances scattered around the globe.

Those involved were not just smaller countries or Third World dictatorships. More than 200 maritime boundaries are estimated to be unclear and dozens of land boundaries are said to be in dispute. The United States and Canada, for example, have disagreements over the Gulf of Maine, and even Scandinavians can find themselves at loggerheads over the murkier parts of their maritime delimitations.

In most cases, government lawyers handle the disputes. Some countries, however, have chosen to entrust negotiation of their interests to people such as Jeremy Carver, of Clifford Chance, and Rod Bundy, who heads a team of three partners and six assistants in Frere Cholmeley's Paris office.

More and more of these disputes are going to "third party arbitration". The World Court, the principal judicial organ of the United Nations, is growing.

The court now sees about two cases a year, compared with only one every three years in the 1970s.

Mr Carver's first international border client was Argentina during a row with Chile in the mid 1960s. Within a few years, however,

the growing tensions over the Falklands led the Argentine government to switch its legal advice from London. Once they had decided not to use Mr Carver, the Argentinians considered that they should ask the Pope to adjudicate.

Historians, cartographers and archivists are among the specialists involved in clearing the territorial ground, and part of the lawyer's skill comes in managing and coordinating contributions. Mr Carver says such matters tend "to appeal to one's academic interests. In a dispute in north Africa, we actually had to draw on evidence from pre-Roman times".

Meanwhile, Mr Bundy, an American, has found himself in the awkward position of representing both Libya and Iran. "I have no problem with such representation," he says. "It is better that these countries use a judicial process over these matters. After all, if they do not go to court, what is the alternative?"

Part of the fascination of the work comes in the way that the diplomatic dance steps in and out of the legal procedures. In some cases, the lawyers will act directly as negotiators and, with all litigation, there will be an incentive to reach a settlement out of court.

In the case of disputes fuelled by access to natural resources, for example, it may be possible to resolve matters by getting an agreement on a split in the exploitation rights.

Given the number of uncertainties, however, Mr Bundy and Mr Carver expect to be busy for years ahead. Not only do they foresee problems in the Balkans and Eastern Europe, but trans-border pollution seems likely to become very important. In the end, only historians can judge whether Croats and Slovenians won their independence through war or law.

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## Corrupt political leaflet practice

**Regina v Local Government Election Commissioner, Ex parte Mainwaring and Another**  
**Regina v Same, Ex parte Harris**

Before Lord Justice Neill and Mr Justice McCullough  
[Judgment December 20]

Liberal local election candidates in Tower Hamlets, London, who issued a leaflet purporting to be from their Labour opponents were guilty of a corrupt and illegal practice contrary to section 115 of the Representation of the People Act 1983.

The Queen's Bench Divisional Court so held in granting an application for judicial review by Julia Mainwaring, Amanda Owen and Belle Harris and quashing a decision of Mr Commissioner John Rowe, QC, that the leaflet did not involve corrupt practice because its contents were true. The matter was referred to the commissioner to make findings in accordance with the judgment.

Section 115 of the 1983 Act provides: "(2) A person shall be guilty of undue influence . . . (b) if, by . . . any fraudulent device or contrivance, he impedes or prevents the free exercise of the franchise of an elector or proxy for an elector, or so compels, induces or prevails upon an elector or proxy for an elector either to vote or to refrain from voting."

Mr Justice Goudie, QC and Mr Justice Miller for the applicants, Mr Michael Burton, QC and Mr Richard Anelay for the respondents, Mr Robin Tolson for the Director of Public Prosecutions.

LORD JUSTICE NEILL said the applicants sought judicial review of the determination of three election petitions relating to the election held on May 3, 1990 in Tower Hamlets.

The petitioners were the Labour candidates in three wards who were not elected. The respondents were the Liberal candidates in those wards who were elected and the DPP.

His Lordship said leading local Liberals had devised a plan whereby leaflets were to be circulated at a late stage of the election which would appear to be leaflets issued on behalf of the Labour Party.

They were to be delivered at night by persons from outside the locality to electors who were Labour supporters or known to be anti-Liberal or undecided.

The imprint bearing the name of the Liberal agent as required by law was to be deliberately reduced in size so as to attract as little notice as possible.

The commissioner had compared each of the statements of fact contained in the leaflets with statements made on previous occasions on behalf of the Labour party or Labour candidates. He had come to the conclusion that none of the statements of fact was false and that accordingly the allegation that the respondents had been guilty of an illegal practice failed for that reason alone.

Furthermore, the commissioner had decided that as the leaflet was not false it could not constitute a fraudulent device. Although some electors who gave evidence to the election court had been momentarily deceived by the

leaflet there had been no real deception or impediment which affected any of them.

In his Lordship's judgment the commissioner had erred in law in the construction of section 115(2)(b) of the 1983 Act and thus in failing to draw the proper inferences from his findings of fact.

There had been a deliberate campaign whose clear purpose was to sow doubts about Labour policies in the minds of potential Labour voters and of those who were still undecided how to vote.

It was plain that those who compiled the leaflets had collected together all the aspects of Labour Party policy which it was thought might be unpalatable to some Labour supporters and certainly to waverers, or at any rate would lead such persons to think very carefully before deciding how to vote.

His Lordship could see no answer to the allegation that the leaflets were fraudulent devices. They told a lie about their own provenance. They were not Labour leaflets or leaflets which the Labour Party had selected or approved.

They implied that they contained material which the Labour Party wished to emphasise at that stage of the campaign. They were intended to deceive.

The free exercise of the franchise meant that the elector was entitled to exercise his own judgment in arriving at a conclusion as to the candidate for whom he wished to cast his vote. During the course of the campaign the elector would be subject to many influences. The purpose of section 115(2)(b) was to safeguard the

elector from influences which were fraudulent.

His Lordship was satisfied that corrupt practices were proved to the extent that the free exercise of the franchise was impeded by a fraudulent device or contrivance and would remit the matter.

MR JUSTICE McCULLOUGH agreed. On the commissioner's own primary findings the leaflets were false both as to their origin and in that it implied that its contents were matters which Labour, in the closing stages of the campaign, wished to emphasise to the electorate. No other conclusion was reasonably open to him than that the leaflets were a "fraudulent device or contrivance" within the first part of section 115(2)(b).

The exercise of the right to vote involved making a decision for one candidate rather than another. In one sense no such decision was free since every voter was subjected to influences designed to affect his choice of candidate. His Lordship thought it more likely that a free exercise of the franchise was one free from improper influence.

The first 28 words of section 115(2)(b) were concerned with

influences brought to bear on those who, not merely had the right to vote, but who did in fact vote.

His Lordship said that for two reasons: (i) one exercised the franchise by voting; (ii) if those who had the right to vote but through improper influence did not vote fell within the first 28 words it was difficult to see the need for the last 21 words of paragraph (b).

An improper influence which was brought to bear on the mind of a voter and caused him to vote as the person exercising that influence intended, otherwise he would not, prevented the free exercise of his franchise.

A voter who, although influenced by the improperity, was not thereby caused to vote in the way intended, either because he was going to vote that way anyway or because the device did not cause him to change his free exercise of his franchise.

Solicitors: Deighton Gaudell; Sebastian Coleman & Co; CFS HQ.

## Economic prejudice

**Gascoigne v Harlebury Health Authority**

Prejudice alleged in a case of inordinate delay was not confined to prejudice to a defendant's case but could, extend to economic prejudice.

Mr Justice Tudor Evans so observed in the Queen's Bench Division in a reserved judgment

on December 20 when dismissing an appeal brought by the plaintiff, Joan Violet Gascoigne, against the decision of Master Miller on May 24, 1991 to strike out the plaintiff's claim for damages for medical negligence for want of prosecution. However, a fresh writ had been issued in the meantime.

## Inadequate reasons give perverse decision

**Regina v Criminal Injuries Compensation Board, Ex parte Cammies**  
**Before Mr Justice Hinchinson**  
[Judgment January 17]

The failure by the Criminal Injuries Compensation Board to show in its reasons the basis of fact on which it relied to award what it considered the appropriate sum for the cost of future care for a victim of a crime of violence rendered those reasons inadequate and the award perverse.

Mr Justice Hinchinson so held in a reserved judgment in the Queen's Bench Division when he allowed the application of Michael Cammies for an order of certiorari to quash the award of compensation of the board of April 14, 1989, of £392,686 after deduction of DfSS benefits, with reasons given on August 5, 1989, and ordered a re-hearing of the application before a differently constituted board.

Mr Robin Stewart, QC and Mr K. L. May for the applicant; Mr George Fulman, QC and Miss Alison Foster for the board.

MR JUSTICE HINCHINSON said that the applicant, born in September 1966, was injured on January 18, 1985 when he was attacked and repeatedly stabbed by a guest in the house he lived in with his mother. One of the wounds caused a severe lesion of the spinal cord so that for practical purposes he was now confined to a wheelchair for life.

His Lordship accepted the

respondent's contention that in making its assessment for an award under its compensation scheme on the basis of common law damages all that the board was required to do was to assess damages according to common-law principles.

From the medical evidence and that of an experienced expert of the International Paraplegic Claims Service, the board concluded that the applicant's expectation of life was to age 65, that is, 42 years from the date of the award. It also made an assessment of the cost of future care by taking a round sum of £100,000.

The applicant contended, *inter alia*, that from the original reasons given by the board, three Queen's Counsel, there was virtually no indication of what evidence they had accepted, or rejected and none as to how they had arrived at the figure for the cost of future care. And even in the amplified reasons given four months later after leave was granted to "move for judicial review many questions were still left unanswered."

His Lordship said that there had to be differences between cases where the obligation to give reasons was a statutory one, not the present case, and those where it was not. *R v Civil Service Appeal Board, Ex parte Cunningham* (The Times March 11, 1991; [1991] 4 All ER 310, 319).

Even in a case where there was no obligation to give reasons, his

Lordship would assume that a body which in fact gave reasons was obliged to do so in a way which met the requirements of adequacy which the law imposed in cases where the duty to give reasons existed.

There was no doubt that the board had considered the need for a valuation of the cost of future care. However, the reasons did not indicate, given the board's acceptance of the expert evidence that the applicant was an incomplete paraplegic "in some ways akin to a paraplegic with a hand disability", whether they accepted the expert's views as to the applicant's need to have someone always on call at night and someone to give two to three hours help during the day as well as additional domestic help for clearing laundry and meals.

If the board rejected those views the applicant needed to know its conclusion. Moreover, given the inference that the board accepted the genuineness of the applicant's desire to live independently, a clearer indication was required as to the level of care it found to be necessary and how it was to be provided. What was at issue after all was the cost of care for no less than 42 years.

Accordingly it was not clear from those reasons whether the board rejected the expert's assessment of the necessary level of care or the evidence that the applicant would employ persons outside the family to provide most of the care.

Solicitors: Eville & Coleman, Putney; Treasury Solicitor.

### LEGAL APPOINTMENTS

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Patel's boldness slows England's charge towards a convincing victory in the first Test

# Tufnell's spin has New Zealand facing follow-on

FROM ALAN LEE, CRICKET CORRESPONDENT, IN CHRISTCHURCH

ENGLAND'S basic, back-breaking task of taking 20 wickets in three days to win this first Test, and with it quite probably the series, suddenly looked immeasurably simpler soon after tea yesterday. Philip Tufnell had taken four for 20 and New Zealand, at 91 for five, were tottering.

Still 212 short of avoiding the follow-on, with only four wickets remaining, their best hope of denying England victory lay with one of the nomads of the modern game. Dipak Patel was born in Kenya to Indian parents, lived and played in England for some years and is now settled in Auckland with an incongruously convincing Kiwi accent. It is fair to say that his Test career has been a story of under-achievement, with a batting average under 20 and a bowling average over 100, but yesterday he made his second half-century in 14 games and rattled a skeleton which Tufnell would rather have left hidden in his memory cupboard.

In June 1986, Middlesex, then the county champions, were so depleted by England calls that they were obliged to give a first-class debut to a 20-year-old spin bowler with a pony-tail and a dubious temperament. It was not a success. The youngster bowled 13 overs for 76 runs and an innings win for Worcestershire featured one quite destructive century.

The bowler was Tufnell, the batsman Patel and it has so lingered in the mind of the former that he still names it

as his worst day in cricket. Yesterday's events came in a different, less damaging context but Patel came off unbeaten, having scarred Tufnell's figures with two sixes and five fives.

It was high-risk bating with a dividend, putting a fresh if not smart suit of clothes on New Zealand's shabby appearance and, at least temporarily, neutralising a tired Tufnell. "Dipak just decided he was not going to let Tufnell bowl," Martin Crowe, the captain, said. "It worked for him but that does not mean everyone should play like that."

Crowe himself was the last man out yesterday but, in an attempt to protect his left index finger, badly bruised during practice, he had not come in until the fall of the fifth wicket. Crowe had hoped, perhaps even expected, that he would be required to bat until today and, as the morning passed with the covers on and rain still falling, he seemed in little danger of disappointment.

Lancaster Park, however, is one of the quickest drying Test grounds in the world. The outfield slopes away from the square in every direction, which did not help the New Zealanders as they chased leather on the first two days and certainly did not help them yesterday. With victory out of the question, the clearing skies, drying winds and methodical mopping up by the ground staff was not at all what they wanted to see.

Through the facility of the extra hour, only 80 minutes

were lost but any hopes England may have been harbouring that the pitch had been freshened up were quickly dashed. De Freitas and Lewis, although maintaining a far more probing line than the home bowlers had managed on the first morning, operated without assistance.

Wright survived a sharp, low chance to Gooch at third slip and, when Pringle came on as first change, the occasional ball scuzzed through disconcertingly low. But Hartland, a popular local making his debut, was composed in defence and the openers had been together for two hours when Tufnell made the breach in his fourth over.

It was classical slow bowling on an unresponsive surface. Pin the batsman down with two or three pushed through flat, then tempt him with flight and width. Wright fell for it, lunged at the drive and edged to slip. With only a single added, Hartland was caught off bat and pad at silly point. Tufnell, exuding confidence, had two for two in five overs and the game had changed dramatically.

Throughout his stay in this country, Tufnell has exerted a mesmerising influence on batsmen. Crowe acknowledges it. "It is known that our batsmen struggle against spin because we don't have a lot of it ourselves," he said. Even so, despite suffering a slur on his action and a pelting from the Auckland crowd, Tufnell was irrationally a star here before he had bowled a ball in a Test. His status is now confirmed.

Lewis took the next wicket as Jones suffered the penalty of his impulsive, jumping back-off technique. Great-batch played two controlled cover drives against Tufnell, miscued an attempted repeat just short of mid-off and was then smartly caught at short leg.

Thomson's stroke was one he will wish to forget but the sixth wicket added 48 before Pringle crucially dismissed Crowe, striking him on his sound, right hand from a good length and then having him caught at short leg, next ball, from a diffident defensive shot.

Patel reached his 50 with successive fours and Tufnell, who had previously used the wind to great effect, ended raggedly, his last ten overs producing nothing for 54. It was a round won by New Zealand but the points were still heavily in favour of Tufnell and his team.

England meet Australia, the World Cup holders, tomorrow.

SCORES: England 168 for 9 (80 overs); New Zealand 126 (65 overs); England won by 42 runs.

## CHRISTCHURCH SCOREBOARD

New Zealand won toss

ENGLAND

First Innings: 580 for 9 dec (A J Stewart 148, R A Smith 96, A J Lamb 53, C C Lewis 70)

NEW ZEALAND

First Innings

B R Hartland c Smith b Tufnell	22	6s	4s	Min	Balls	105
Bat-ped chance to silly mid-off						
J G Wright c Lamb b Tufnell	28		2	125	97	
Edged attempted drive at righted ball						
A H Jones lbw b Tufnell	16			56	43	
Shuffled across stumps						
M J Gooch c Stewart b Tufnell	11		2	66	50	
Bat-ped chance to short-leg						
S A Thomson b Tufnell	5		1	29	20	
Batted by arm ball, forcing shot						
D N Patel not out	55	2	6	80	64	
M D Crowe c Stewart b Pringle	20		2	58	56	
Bat-ped chance to short-leg						
C L Carmichael not out	3			20	21	

Extras (b 1, lb 4, nb 4) 8

Total (6 wickets, 75 overs, 290 min) 168

11 D S Smith, C Pringle and D K Morrison to bat.

FALL OF WICKETS: 1-61 (Wright), 2-82 (Hartland), 3-73 (Jones), 4-87 (Gooch), 5-91 (Thomson), 6-138 (Crowe).

BOWLING: De Freitas 20-8-32-0 (6-6-7-0, 7-1-15-0, 5-2-10-0); Lewis 16-7-28-1 (nb 3) (6-4-0, 4-0-8-0, 3-3-16-1); Pringle 11-2-30-1 (6-1-16-0, 5-1-12-1); Tufnell 25-7-74-4 (nb 1) (one assist).

UMPIRES: S Akinde and S Dunne.

## Hodges leads way to recovery

ENGLAND recovered well after losing three quick wickets to beat New Zealand by 42 runs in the women's triangular one-day tournament in Wellington yesterday (a Special Correspondent writes).

Put in to bat by the home side, the English got off to a bad start, losing their captain, Helen Plimmer, for a duck and at one stage were 35 for three after Jan Brittin and Sue Metcalfe had been dismissed cheaply.

But a determined four-wicket partnership of 69 by Carol Hodgson, named player of the match, and Karen Smithies rescued the touring side before both fell to the off spinner, Karen Gunn, who finished with three for 11 from her 12 overs.

Janet Godman, with 12 runs, and Debbie Stock, who compiled 23, featured in a bright 23-wicket stand of 27 and at the close England had reached a respectable

168 for nine off their 60 overs.

In reply, New Zealand made slow progress against some tight bowling, and excellent ground fielding, struggling to 31 runs from the first 25 overs, and were eventually all out for 126.

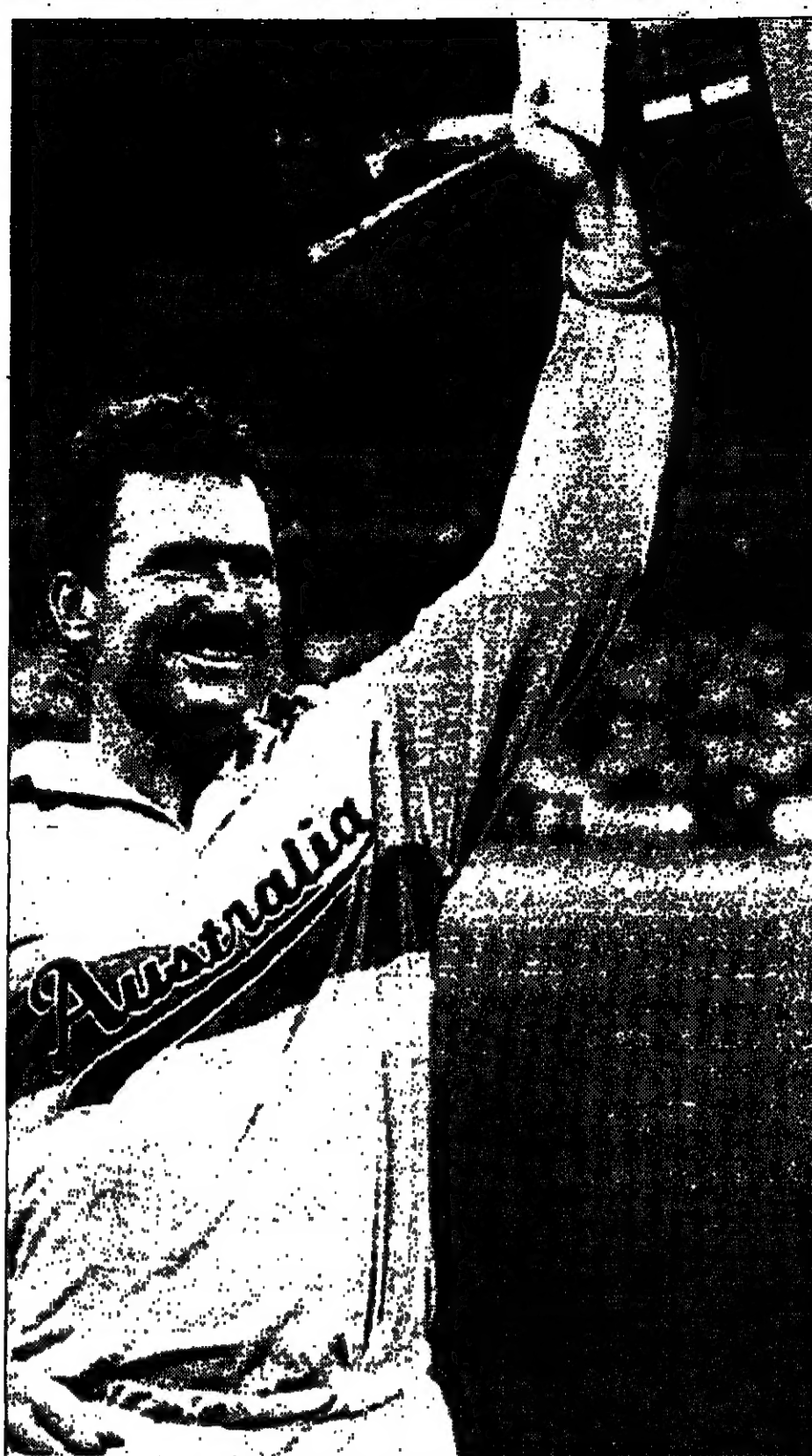
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SCORES: England 168 for 9 (80 overs); New Zealand 126 (65 overs); England won by 42 runs.

## SNOW REPORTS

Depth (cm)	Conditions	Runs to resort	Weather (Spm)	Temp (°C)	Last snow fall
FRANCE					
La Clusaz	35 180	good	open	snow	0 20/1
(Layer of powder on all pistes. Best skiing at La Balme)					
Les Gets	50 140	good	patchy	snow	-2 20/1
(Good skiing though lower runs patchy and rocky)					
Serre Chevalier	60 120	good	open	snow	-1 20/1
(Good skiing on upper runs, lower runs thin)					
Val Thorens	100 180	good	open	cloudy	0 20/1
(Superb skiing on glaciers. Lower runs hard-packed)					
AUSTRIA					
Alpbach	35 100	good	open	snow	-3 20/1
(New powder on hard base. Good above middle station)					
Bad Gastein	40 130	good	open	snow	-3 20/1
(Good skiing on soft snow. All lifts in operation)					
Lach	80 130	good	open	snow	-9 20/1
(Good in the Arlberg region)					
Sölden	20 95	fair	patchy	snow	-2 20/1
(Good skiing on upper runs, lower runs patchy)					
SWITZERLAND					
Andermatt	110 150	good	open	cloudy	-6 19/1
(Good cover on all pistes. All lifts in operation)					
Klosters	70 140	good	open	cloudy	-5 19/1
(New powder on firm base, excellent skiing)					
ITALY					
Bardonecchia	50 100	good	open	bright	0 10/1
(Good skiing on hard-packed snow. All 23 lifts operating)					
Cervinia	90 180	good	open	bright	-3 11/01
(Good skiing on hard-packed piste. Link to Zermatt open)					
Livigno	80 180	good	open	cloudy	-10 19/01
(New snow overnight)					
Sauze d'Oulx	40 90	fair	open	fine	+2 9/01
(Good upper runs, lower hard. Milky Way lifts open)					
UNITED STATES					
Breakenridge	80 100	good	open	cloudy	-8 17/01
(Good cover on all pistes. All lifts operating)					
Jackson Hole	75 140	good	open	fine	-10 15/01
(Good skiing, hard-packed. Nine lifts operating)					
Killington	65 170	good	open	fine	-15 14/01
(Artificial snow-making in progress)					
Park City	85 110	good	open	cloudy	-8 14/01
(All lifts operating, 78 runs in the 6 bowls)					

Supplied by Ski Holidays, L and U refer to lower and upper slopes



Happy captain: Border holds aloft the World Series Cup won by Australia

## Whitney holds catch that seals Cup for Australia

Sydney: Australia won the World Series Cup with a six-run victory over India here yesterday, thanks to a splendid fielding performance from Mike Whitney, the left-arm fast bowler.

Whitney took three excellent catches in the deep and also bowled a miserly spell as Australia resisted India's attempt to overhaul their total of 208 for nine in the second 50-overs match of the best-of-three final. Needing 13 off the final over, bowled by Whitney, India could manage only six, finishing on 202 for seven.

Their hopes had effectively disappeared two overs before, when Whitney held a marvellous running catch to end Tendulkar's brilliant innings of 69. Tendulkar, building on a valiant 61 from Ravi Shastri, had brought India close to reaching an Australian score based around Geoff Marsh's solid 78.

Tendulkar cut loose with India needing 88 runs off 12 overs, unleashing the full range of his shots as Australia's fielding showed signs of panic and sloppiness. Jones had already dropped Shastri when Steve Waugh spilled a skyed caught-and-bowled

chance from Tendulkar, ironically an over after smartly catching him off a no-ball.

The teenager then got the benefit of an apparent run-out by Tom Moody, who bowled a tight spell, before falling to Whitney's superb catch.

Australia, who won the first final by 88 runs in Melbourne on Saturday, thus took the series 2-0 and retained the trophy. The success reinforced their position as favourites for next month's World Cup, which they will co-host with New Zealand.

"We held on despite missing a few easy catches I would not expect those guys ever to miss again," Allan Border, the Australian captain, said. "Whitney put the rest to shame. He's one of the lesser lights in the field, but he did very well. The catch off Tendulkar was vital."

Mohammad Azharuddin, his opposing captain, was pleased with India's display, which he said was "much better". He added: "We began a bit slowly and got into a tangle. The rate got so high we had to take chances." Azharuddin is aware his team needs boosting for the World Cup. "This has been

very good preparation for us but we are going to be further strengthened by bringing in players from India," he said.

Shane Warne, the young leg spinner, who took one for 150 on his first Test match appearance, has been retained in the squad for the fourth Test, beginning in Adelaide on Saturday. Paul Reiffel replaces the injured fast bowler, Bruce Reid.

GR Marsh c Jones b Shastri	78
D C Boon b Pringle	20
D M Jones c Pringle b Pringle	20
T M Moody c Tendulkar b Pringle	15
M E Waugh at Pringle b Pringle	0
M A Ashwin c Whitney b Border	11
S R Waugh b Pringle	5
P A Ashley run out	5
M S Taylor not out	5
C J Macdonald c Pringle	5
C S McDermott not out	0
Extras (b 5, w 3, nb 7)	15
Total (6 wickets, 50 overs)	202

FALL OF WICKETS: 1-47, 2-74, 3-114, 4-117, 5-188, 6-175, 7-192, 8-202, 9-202. BOWLING: Kapil Dev 10-1-42-0; Pringle 10-1-15-0; Shastri 10-1-44-0; Paul 10-1-32-0.

INDIA

R J Shastri c Whitney b Moody 81

K L Karthick c M E Waugh b Whitney 10

S V Manjunath run out 10

S R Tendulkar c Whitney b S R Waugh 69

B A S Srineth 71-50-1; Tendulkar 4-0-16-0

Shastri 10-1-44-0; Paul 10-1-32-0

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## FOOTBALL

was sent off and automatically suspended for three matches. Uzzell, aged 32, whose career is in jeopardy, has lodged a formal complaint with South Devon police after having his jaw pinned with a metal plate.

Yet after studying video evidence, yesterday's FA hearing concluded: "The disciplinary panel are not satisfied that there should be any further action taken against the player."

Torquay officials have described the challenge as the worst example of its kind they have seen, and South Devon police yesterday said they were still investigating the incident — which involved Uzzell allegedly elbowing the next week or two. If they believe there is a case to answer, the file will be

**FA VASE DRAWN:** First round (February 8): Chertsey Town v Yale Town; Galesley v Edgworth Town; Blyth Town v Bamber Bridge v Newport (DOW); Newcastle Town v Haslemere - Town v Hastings Town; Harrogate Town v West Midlands Police; Metropolitan Police v Dims Town; Knowsley United v Sudbury Town; Hythe Town v Eastham United v Eastwood Harley.

**FA CUP DRAW:** First round (February 15): Okehampton Town v Bamber Bridge; Galesley v Glenavon; Ballyclare, Carrington v Oxford United; Larnac, Benbridge or Moyola Park v United; Limerick United v Coleraine; Coleraine v Coleraine; Larnac, Portadown v Coleraine or Dungannon Swifts; Ardara v Dungannon Race.

The show is the first of 40 Barry Hearn promotions that will be seen on Screensport this year. Screensport has signed a three-year deal for £5 million with Hearn's organisation, Matchroom.

Hearn's main rival, Micky Duff, of National Promotions, has finally secured a world title date for Pat Barrett, the European light-welterweight champion. He challenges Manning Galloway, the WBO champion, on February 12 at the Wembley Grand Hall.

Billy Scherer, the Luton lightweight, was to have met Antonio Renzo, of Italy, for the European title at the Grand Hall on the same date, but after Renzo dropped out with a damaged hand, Barrett's challenge was moved into the vacant space.

Scherer could now meet Renzo on March 4 at the Albert Hall.

by Saturday. After four days of racing, Dennis Conner and his Stars & Stripes team say they are comfortable with their 2-2 record.

"Our sailing and tactics have been more than a little rusty," Conner's long-time friend and tactician, Tom Whidden, said. "We just aren't placing the boat where we should on the racecourse and on the start line."

"But in past campaigns we've been pretty much the same way. The first round of trials in Fremande we were dropping sails in the water and all sorts of things."

Whidden's message is that if the boat is fast, the rest comes later. Yet Stars & Stripes appears no better than equal to the America's yachts, Defiant and Jayhawk.

Since that \$60m campaign has two new yachts en route and Conner cannot afford to build even a second boat, the man who is to the Cup what Jack Nicklaus was to golf would seem to be bunkered.

**Butler absent**

**Badminton:** Steve Butler, the England No. 2, will miss the national championships in Torquay next month because they clash with the Swiss Open, in which he is contracted to play. Darren Hall, the holder, is the favourite as he attempts to win a sixth singles

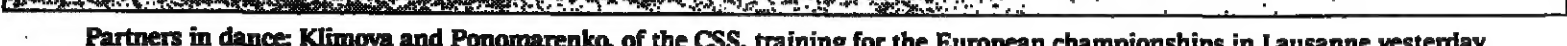
### Curry wins silver

**Sliding:** Jilly Curry, the British freestyle skier, won a World Cup silver medal in the combined event, which embraces ballet, moguls and aerials, at Breckenridge, Colorado.

WHEN Madeleine Campbell climbs on to the starting blocks in Sweden today her mind will drift back two years to the races at Gothenburg that won her the World Cup butterfly title. But her target this year is confused: does she want to be World Cup series winner, the first World Cup super-final champion in her category, or both?

The answer is Campbell's preference, making the fourth round of the World Cup at Malmö crucial. She is in second position in the butterfly rankings and has one round in hand over Andrea Nugent, of Canada.

Points gathered in four rounds count towards the series competition. However, for the first time, the World Cup is to have a super final, in which \$350,000 (about £195,600) in prize money is available.



The championships open this evening with only the pairs original programme to support the opening ceremony. There is a thin entry of 13, two of them from Britain.

Kathryn Fritchard and Jason Briggs, from Scarborough and Sutton-in-Ashfield respectively but training at Solihull, brought a breath of fresh air to British pair skating by dislodging Cheryl Peake and Andrew Naylor in the national championships in Hull in December. Now, they have to repeat that performance and take a first modest step up the international ladder.

# South Africa

## of a return

**SOUTH** Africa's return to the international football fold edged closer yesterday when those told they will be invited to play in the 1994 African nations' cup (Peter Robinson writes). Expelled from Fifa, the game's world governing body, in 1976 because of its apartheid policies, South Africa has been holding talks with the CAF, the ruling body in Africa, during the nations' cup tournament in Senegal.

"I have been informed by the African Football Confederation that South Africa has been included with 13 other

### OVERSEAS

**AFRICAN NATIONS' CUP** (in Senegal): Quarter-finals: Cameroon 1, Cote d'Ivoire 0; Senegal 1, Nigeria 0.

**BERG LEAGUE** VVD Motolenbeek 2, Wieropend 0; Korrek 2, Aalest 1; Standard 0, FC Uden 1; Cercle Brugues 5, Lokeren 0; Royal Antwerp 2, Lierse 1; Racing Ghent 1, FC Brugge 1; Charleroi 1, Beveren 0; Anderlecht 0, Gent 2; Machelen 2, Standard 0.

**Scorers** (African Nations' Cup): Machelen (after 19 matches); 1, Anderlecht, 2; 2, Mechelen, 26; 3, FC Brugge, 26.

**BORD GAS** FC Ireland: Premier division: Bray Wanderers 0, Shamrock Rovers 0; Derry City 1, Galway 0; Drogheda 0, Sligo Rovers 0; Bohemians 3, St Patrick's Athletic 2; Cork City 4, Sligo Rovers 1; Athlone Town 2, Lough Rovers 0; Drogheda 1, Derry City 1; Derry City, 33 pts; 2, Shelbourne, 32; 3, Dundalk, 28.

**DUTCH LEAGUE** Ajax 1, PSV Eindhoven 0; SVV/Dordrecht 30-0, Vitesse Arnhem 1; FC Twente Enschede 4, FC Groningen 0; Sparta Rotterdam 0, FC Utrecht 1; FC Den Haag 1, MVV Maastricht 2; VVV Venlo 0, FC Volendam 1; Willem II Tilburg 1, FC Utrecht 1; Roda JC Kerkrade 0, Feyenoord 1; FC Eindhoven 0, FC Den Haag 0; Go Ahead Eagles Dordrecht 1, Leading 24pts; 2, Feyenoord, 22; 3, Ajax, 21.

**FRENCH LEAGUE** Cannes 1, Lyons 0; Lille 1, AS Monaco 2; Metz 1, Nantes 1; Paris Saint-Germain 3, Cannes 2; Rennes 0, Montpellier 2; Toulouse 4, Nancy 0; Lens 2, Auxerre 2; Amiens 2, Nîmes 1; Marseille 2, Sochaux 0; La Havre 0, St Etienne 0; Lens

**SOME** punters may find this week's coupon unusually intimidating. There is a strange assortment of FA Cup and Scottish Cup ties, third and fourth division matches and 32 non-league fixtures.

Of the four FA Cup games on the coupon, two have distinct draw possibilities. Brighton, who are running into form, must fancy their chances of taking Bolton to a replay and Middlesex against their first division opponents, Sheffield Wednesday, will also have a chance of reaching the second round.

**Saturday, January 25  
unless stated**

**FIFTH CUP**

**FOURTH ROUND**

X Bolton v Brighton  
1 Norwich v Millwall  
2 Oxford v Sunderland  
3 Sheffield Wed v Middlesbrough  
Not on coupons: Bristol Rovers v Luton Town; Charlton v Sheffield United (Sunday); Chelsea v Arsenal (Monday); Derby County v Swindon; Ipswich v Bournemouth; Newcastle v West Ham; Notts County v Nottingham Forest v Leyton Orient; Leeds County v Blackburn Rovers; Portsmouth v Salford City; Southend v Walsley; Manchester United (Monday); West Ham v Wrexham

**THIRD ROUND REPLAY**

Not on coupons: Derby v Burnley

**FIRST DIVISION**

Not on coupons: Crystal Palace v Arsenal; Tottenham v Chelsea

**SECOND DIVISION**

Not on coupons: Tringrave v Watford (Friday)

**THIRD DIVISION**

1 Brentford v Preston  
1 Burny v Chester  
X Darlington v Bradford  
1 Exeter v Fulham

**TREBLE CHANCE (name teams):** Bolton, Sheffield Wednesday, Stoke, Bournemouth, Boston, Macclesfield, Bangor, Goals, Altherstone, Torrington, Bognor Regis

**BEST DRAWS:** Bolton, Sheffield Wednesday, Macclesfield, Fort, Welling, Torquay, Farnborough, Stoke, Southport, Stralybridge.

**HIGHLY STAKES**

1 Sheff Wed v Stoke  
1 Shrewsbury v Wrexham  
2 Ipswich v Stockport  
2 Cardiff v Gillingham (subject to replays)  
Cup replay(s) only (Friday)

**FOURTH**

2 Charlton v Chelsea  
2 Cardiff v Gillingham  
2 Darlington v Mansfield  
1 Southampton  
Not on coupons: Arsenal v Aston Villa; Atherston v Aldershot

**GM VALUE CONFERENCE**

X Barnet v Colchester  
2 Chertm v York  
X Macclesfield last  
2 Wigan v Walsley  
2 Witton v St Albans  
1 Yeovil v Kidderminster

**HPS LOCAL PREMIER LEAGUE**

2 Bishop Auckland  
1 Chorley v Evesham  
2 Wyke v Scarborough  
1 Fleetwood v Grimsby  
X Goals v Accrington  
2 Fleetwood v Grimsby  
1 Hyde v Stalybridge  
1 Marine v Gosport  
2 Shepherdswell v Whitby

# CAST

wednesday, by doing the  
In the Scottish Cup, Forfar  
thletic, bottom of the first  
division, are paired with  
burnflemie Athletic, bot-  
tom of the premier. They have  
been managed only five wins be-  
tween them and I do not see  
the situation changing on  
Saturday.

Try applying the S factor to  
the five away with Sunder-  
land, Stoke, Slough, South-  
port and Salfybridge all likely  
succeed.

**BEAZER HOMES LGE  
PREMIER DIVISION**  
X Altham v Walsdale  
2 Burton v Chelmsford  
1 Cambridge v Worcester  
1 Colney v Worcester  
2 Dorset v Stroud  
1 Derby City v Bromsgrove  
1 Colney v Worcester  
2 Fisher v Slough  
1 Poole v Gravesend  
X Walsley v Rugby  
2 Westvale v Moor Gr'n

**DIADORA LEAGUE  
PREMIER DIVISION**  
X Begon v Slough  
1 Carlshorn v Grays  
1 Chestam v Basingstoke  
1 Enfield v Wyke  
**SCOTTISH CUP  
THIRD ROUND**  
1 Airdrie v Stranraer  
2 Forfar v Motherwell  
1 Dundee v Dundee  
1 Ayr v Duffryn  
1 Hamilton v Partick  
1 Hibernian v Falkirk  
1 Dundee v St Johnstone  
1 Rath v St James  
1 St Mirren v Hearts  
**NOT ON COUPONS:**  
Aberdeen v Rangers (to-  
morrow), Caedonian v  
Caedonian, Dundee v  
Cowdenbeath, Dumbar-  
ton v Huntly, Dundee v  
Sitting, Dundee United v  
Sitting, Dundee v Morton  
v East Fife

**SCOTTISH BELOA  
Not on coupons: Alloa v  
Queen's Park, Queen's  
of the South v Arbroath**

**SCOTTISH: Norwich, Bray, West Bromwich,  
Barnsley, Burnley, Cardiff, Charlton, Merrie,  
Hartford, Dover, Enfield, Alder, Celtic.**  
**UNCOVERED STOPS: Homes; Bray, Scun-  
dershire, Derby, Exeter, Ipswich, Ipswich,  
Reading, Oldham, Oldham, Baskley, Drax-**  
**ton, Macclesfield, Rine.**

☐ Vince Wright



## Brewery linked with Cup competition

# FA sponsorship search draws to a conclusion

BY PETER BALL

THE Football Association's search for sponsorship for the FA Cup may be nearing completion. Although negotiations have not been finalised, a leading brewery is ready to meet the FA's price, believed to be around £5 million a year, for the most prestigious trophy in British sport.

It was suggested yesterday that an announcement could be expected this week, but the FA insisted that was premature. "We will be discussing sponsorship over the next six months with the Premier League," Glen Kiron, the FA's acting commercial director, said. "I will not take any decisions until I have confirmed things with the Premier League."

The FA is known to be concerned about its financial position and commitments.

with next year's guarantee of £2 million to support the Football League when the first division clubs leave exercising its thinking. A short-term sponsorship for the FA Cup, or even the semi-finals and final, while waiting for the Premier League to get its act together, could save the FA financial embarrassment.

Certainly, the money should be no problem. Barclays Bank is paying £2.3 million this year for its Football League sponsorship, and many companies would be delighted to be associated with the FA Cup. Its position as one of the greatest and most popular competitions in sport make it a blue-chip property.

There has always been resistance, inside and outside the FA, to having the FA Cup

sponsored. Like Wimbledon, Royal Ascot and the Open golf championship, it has preserved its purity, but that seems about to change, just as did cricket Test matches, the Epsom Derby, the Grand National and the Boat Race.

Even so, the FA has insisted on preserving the competition's integrity, and the restrictions it has placed on the sponsorships have not so far been completed.

It is likely that these may involve the name credit given to the sponsor. Many traditionalists would be loath to see the competition's name changed to satisfy a sponsor: the example of the football League Cup, in which a succession of sponsors' names (the Milk Marketing Board, Littlewoods and, now, Rumbelows) has replaced the original title.

What is clear, however, is that the old reluctance to be associated with tobacco or alcohol has been superseded by commercial considerations. Weekend reports that Tennents, which is heavily involved in Scottish football, is the new FA sponsor were yesterday dismissed by David Bloomfield, the FA press officer, as "without foundation", but a major brewery has been involved.

## Heavy fine for Sealey

LES Sealey, the Aston Villa goalkeeper, was yesterday fined two weeks' wages by his club for his angry outburst towards the referee, George Courtney, after Saturday's match with Sheffield Wednesday (Chris Moore writes).

Sealey has been reported by the Pennryn official to the Football Association who

could charge him with bringing the game into disrepute. Ron Atkinson, the Villa manager, imposed the "maximum" fine but may not drop Sealey for the game at Manchester United tomorrow. Sealey was incensed by Wednesday's goal.

Coppell charged, page 35

## World Cup generates £20m

BY PETER BILLS

THE gross income for the 1991 Rugby World Cup (RWC) was about £20 million, half the figure estimated in some optimistic quarters, it emerged yesterday. Tournament costs, described as "very considerable" by the organisers, will mean a final profit margin of something over £10 million.

The cash results of rugby union's competition in the British Isles and France last autumn were expected to be announced in April. However, the figures have been made known because the

organisers were anxious to discredit the widespread talk in the immediate aftermath of the tournament of a gross income of anything up to £35 million or £40 million.

An official said yesterday: "We cannot put a precise figure on it at the moment because royalties on certain items are continuing to come in. But when we say around £20 million we really mean that and very little more."

RWC officials were taken aback at the costs of staging the event. They did their best to cut back on expenditure to

as realistic a level as possible, but they concede that they found it difficult budgeting for the enormous variety of costs.

The four British Isles unions and France are expected to receive about £1.5 million each as their share of the profit. The Rugby Football Union (RFU), which staged the final at Twickenham as well as England's three group matches, will probably receive the largest amount, around £2 million.

CPMA, the group which was charged with the commercial interest of the tournament, had hoped to attract eight sponsors at £2 million each, but the eventual total was about £3 million for six sponsors. Larger-than-anticipated fees from television, about £12 million, meant the shortfall was made up.

French plans, page 34

## Who says you can't be a £50,000 a year manager?

The internationally known publisher of Total Quality Management reports that anyone at least average intelligence can make it to the top in business.

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## Wembley balks at athletics

BY JOHN GOODBODY

WEMBLEY is seeking a commitment from athletics to use the stadium for an important meeting at least once a year before it will agree to stage the 1993 grand prix final.

Jarvis Astaire, the executive director of Wembley Stadium Ltd, said yesterday that he was planning to meet Primo Nebiolo, the president of the International Amateur Athletic Federation (IAAF), to discuss Wembley being awarded the final. He said: "Unless there is an understanding that we will stage at least one major meeting a year at Wembley, then we could not undertake to do the necessary work to convert the stadium. It would simply not be viable for us as a commercial organisation to hold just the grand prix final."

It would cost Wembley between £2 million and £3 million to lay a track under the sandy greyhound surface, which could be removed in five or six days for athletics.

Tony Ward, the spokesman for the British Athletic Federation, said that the first commitment must come from Wembley that it wanted to stage the final. "After that we can discuss whether at least one major meeting would be staged there."



Impassioned appeal: Tufnell removes Harthand, caught by a sprawling Smith, as he weaves his spell in Christchurch. The truck, seemingly encroaching on the outfield, is parked on the perimeter track

## Tufnell eager to resume work

FROM ALAN LEE  
CRICKET CORRESPONDENT  
IN CHRISTCHURCH

PHILIP Tufnell, already the dominant character of England's winter tour, reduced New Zealand to the brink of the follow-on in Christchurch yesterday before the former Worcestershire all-rounder, Dipak Patel, kept his adopted country alive in the first Test.

A match-winner for England in his last two Test matches, against West Indies and Sri Lanka, Tufnell maintained his remarkable rise among the world's slow bowlers by taking four for 20 in his first 15 overs as New Zealand, needing 381 even to avoid following on, collapsed to 91 for five.

Patel counter-attacked boldly in making only his second half-century for New Zealand. But with Martin Crowe, already nursing an

injured finger, also out before the end of the third day, New Zealand stood precariously at 169 for six. Granted two clear days, and Tuesday morning dawned fine in Christchurch. England were favourites to complete their first win in this country for three years.

In the 12 months since he last visited New Zealand at the end of a torrid debut tour, Tufnell's improvement in all

aspects has been remarkable. Even Crowe, the New Zealand captain, readily admits as much. "He was a good bowler then but he is a lot better now," he said. "He has beautiful control of his flight and he has a good quicker ball."

"He had a breeze to help him today and he made the ball wobble around. We struggled for concentration."

## Stephenson called in

JOHN Stephenson, the Essex opening batsman, will replace Mike Atherton, of Lancashire, in the England A team to tour Bermuda and West Indies.

Atherton was originally named for both the senior and A team tours this winter to give him every opportunity to play cricket overseas after

an operation on his back last September. Stephenson, who is playing in Queensland, will fly back to England in time to join the party for their departure on February 18.

Ian Botham flew out yesterday with his Worcestershire colleague, Richard Illingworth, to join the England party in New Zealand.

but he is hard to get away unless you play like Dipak who simply decided he was not going to let him bowl."

England's management team has been as delighted with Tufnell's attitude on this tour, so far, as it was dismayed by him this time last year. Whereas then he was sulky and unresponsive, now he is amenable to advice and resolute under all pressures.

Micky Stewart, the team manager, was full of praise for Tufnell's efforts yesterday, even when Patel attacked him effectively in the last hour. "He was tired at the end of the day and experimenting too much," Stewart said. "But if someone takes the big stick to him, he is willing to accept it and keep going."

England on top, page 34  
Australia win, page 34  
Voice of cricket, page 3  
Memorial service, page 14

## McEnroe causes a heated debate

BY ANDREW LONGMORE  
AND JOHN GOODBODY

JOHN McEnroe was yesterday warned about the possible consequences of using an intravenous drip to combat the effects of severe heat at the Australian Open tennis championships. Last year, an entire cycling team had to pull out of the Tour de France because of illness probably caused by using a contaminated drip.

McEnroe, who plays Wayne Ferreira, of South Africa, in the quarter-finals tomorrow, was given an IV drip after his match against Emilio Sanchez on Sunday which lasted four and three-quarter hours, but the tournament doctor and the Association of Tennis Professionals (ATP) trainer administered it only reluctantly.

"I don't want the players to get into a habit of doing this because there is a risk of infection associated with it," Rob Hanna, the ATP trainer, said. "Just drinking water or rehydration fluid would be just as effective. The players are using it as a quick fix."

Although McEnroe was very tired at the end of a long match, played in temperatures touching 123°F on the court surface, Hanna was not convinced that he needed to be given the glucose and saline solution. "He was not dehydrated. He had it because of who he is and because his entourage requested it."

Jimmy Connors, at 39, seven years older than McEnroe, used a similar solution to aid his recovery after he had been forced to retire from the French Open, and again during his run to the semi-final of the US Open last September. But in both cases, it was regarded by doctors as a justified method of warding off muscle cramps. "I feel like I'll do what is necessary to be ready," McEnroe said.

The unseeded American's first grand-slam quarter-final since the US Open in 1990 will almost certainly be a night match, so he will at least be spared another marathon in the heat of the day.

"At the Open I felt I lost control a little bit," McEnroe said. "But I am not jumping out of my pants by what I have done here. I genuinely feel I can go a lot further."

In the 1991 Tour de France, the nine-man PDM cycling team all developed a mysterious illness on the tenth stage. They had been receiving a saline and glucose drip from their medical officials to recover more quickly from each stage. It was later surmised that the illness had been caused by the drips becoming contaminated as they were transported in the team cars escorting the riders.

Stick's search, page 32

## Girardelli is grounded by slump in his form

FROM DAVID POWELL IN KITZBUHEL

LAST summer Marc Girardelli acquired his helicopter pilot's licence. If only he could still fly on skis. For the man who started this season as the outstanding favourite to win an unprecedented fifth overall World Cup title, disappointment rules.

Girardelli has won only one race and, he admits, he is struggling to know why. Today he will seek to lift his confidence for the Winter Olympics next month by contesting the giant slalom in Adelboden, where he has won on each of his last two visits.

After another frustrating three days, in which he competed in two downhill and a slalom here but was way off the victory scent, Girardelli needs to re-establish his reputation. "I am still far away from my best form. I was really upset by my two downhill," he said.

After taking his fourth overall World Cup last winter, equalling the record held by the Italian, Gustavo Thoeni, and the Swiss, Pirmin Zurbriggen, Girardelli entered the season as the man to beat, but has been wearing a green light on the rear of his ski-pants. "He cannot be happy," Alberto Tomba, the World Cup slalom leader, observed at the weekend.

Tomba, though he skis in only two World Cup disciplines against Girardelli's four, is far ahead of him in the overall standings. And Tomba is only second: Paul Accola leads the way on 1,090 points to Tomba's 960 and Girardelli's 599.

Girardelli, aged 28, was born in Austria, lives in Switzerland and is the one-man national team of Luxembourg, a curiosity precipitated by his father's rift with the Austrian federation when he was 13. "For me the season always starts slow," Girardelli said, disguising his problems last month. "When you train alone, you have no one to compare yourself to. It takes

me several races to find out where I stand in relation to others." So now he knows.

The problem is working out how to do better. "I am looking for the technical reasons to understand what has happened," he said after Kitzbühel. Girardelli won in Adelboden in 1989 and again last year, having missed 1990 after a crash in Italy which caused him severe internal injuries.

But he is a man never to be written off and should not be now. He began poorly last season, yet still found the form to win the slalom at the world championships in Saalbach in January. Can he rediscover his touch in time for the Olympics? The crash landing beckons and the pilot is running out of time.

Pinacavallo, Italy: Carole Merle won the women's Alpine skiing World Cup giant slalom here yesterday after Deborah Compagnoni, an Italian, made a serious error just short of the finish on the second leg. Compagnoni, fastest over the first leg, was 0.20sec up on Merle at the halfway point but caught her head on one of the last gates and finished well down the field. (Reuters)



Girardelli: off the pace

Results, page 35

## Marshall rises to test of attrition

BY COLIN MCQUILLAN

BY THE end of quarter-finals day in the Fight For Sight national squash rackets championships in Manchester yesterday, it was evident that there would be a new set of British champions this year and that their muscles were likely to feel the effects for some time.

With a dozen men of roughly equivalent standard at the head of the rankings, it was hardly surprising that the four semi-finalists averaged nearly 100 minutes on court to clinch their places. The high standard of skill and tactical application was, however, unexpected.

Paul Gregory, the resilient south Londoner who won against Simon Parke, the junior world champion, who skilfully survived a fluent 95-minute attack from Philip Whitlock, 9-5, 6-9, 10-8, 9-6.

Chris Walker, fought his way back from two games down against Adrian Davies and a game and 7-3 down against Jason Nicol to reach the second men's semi-final. Such last resurgence was likely to be more problematic against Bryan Beeson, the 1986 national champion, who eased through the quarter.

Suzanne Horner stole the top seed's place in the women's semi-finals by brushing aside the defending champion, Martine Le Moignan, to meet Cassandra Jackman, the junior world champion.

Lisa Opie, the British Open champion and four times winner of the domestic title, called in her personal psychologist, Graham Jones, for her semi-final encounter with Sue Wright, the youngster who forced her off court after two games in last year's quarter-finals.

Results, page 35

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